2

THE Regiment of the Church:

AS IT IS AGREABLE WITH *Scriptures, all Antiquities of the Fathers, and moderne Writers, from the Apostles themselues, vnto this present age.*

I. Cor. 14. v. 40. v. 26.

Let all things be done decently, and in order. Let all things be done to edification.

I. Cor. 11. v. 16.

If any man iust to be contentious, we haue no such customes, nor the Churches of God.

LONDON,
Imprinted by T. C. for *William Welby*, and are to be sold at his Shop in *Paules* Church-yard, at the Signe of the Grayhound. 1606.

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TO THE MOST REVEREND FA-

ther, my very good Lord, Richard *by Gods holy* ordinance the Lord Arch-biſhop of *Canterburie his grace, primate and metropolitane of all Eng-*land, grace and peace from God the father, *and from our Lord Ieſus Chriſt.*

AS many things (moſt reuerend father,) are both comely and profitable; ſo neither is there, neither can there be anything more neceſſarie, in any well managed church or chriſtian common weale, then godly vniformitie and chriſtian vnitie in pure Religion, the proper and peculiar worſhip of the euerliuing God. Which vnitie and vniforme conformitie for all that, not onely the cruell and blood-thirſtie Papiſts in former times, but the Browniſts alſo and the Martiniſts, (curſed broodes untimely hatched, deteſted of God, and irkeſome to the world,) haue of late daies endeuoured with might & maine, to diſturbe, & extinguiſh it, & to take it quite out of the way. For the ſpeedie conuerſion, or elſe for the vtter confuſion, of which profeſſed enemies of the godly vnitie and true chriſtian peace of Gods Sion, I deeme them right happie, who can in any ſmall meaſure concur by way of redreſſe, and put to their helping hand. Againſt the former ſect, I haue publiſhed many books, challenging all Engliſh Ieſuites, Seminaries, & Ieſuited Papiſts; yea prouoking and adiuring them all ioyntly and ſeuerally, to frame ſome anſwere either to all or to ſome one of the ſaide bookes. But wil ye haue the truth? their harts faile them, their own conſciẽces accuſe them, they are at their wits end, & know not in the world what to ſay or write. They will not anſwere,

and why I pray you? becauſe forſooth they cannot, but to their owne ſhame and confuſion euerlaſting. For if they could, they would vndoubtedlie anſwere mee, ſo to ſaue their owne credite, and the life of their late hatched Romiſh Religion. About three yeeres agoe, a railing Ieſuit, an odde ſwaggering Diuine terming himſelfe *E. O.* in his detection againſt Maiſter D. *Sutcliffe*, and Maiſter *Willet*, taketh notice of the bookes which I haue publiſhed againſt them, and telleth his Readers, (if they may beleeue him,) that the confutation of my workes is vndertaken. But what followeth? (and the ſaid confutation muſt be publiſhed, if it ſhall be thought expedient.) By which words with the circumſtances annexed thervnto, wee may eaſily vnderſtand three memorable points. Firſt, that the Papiſts are mightilie troubled, about the anſwearing of my bookes. Secondly, that they can not tell in the worlde, how and in what ſort to anſwere them. Thirdly, that they would haue all their Popiſh Vaſſalls to think, that they haue alreadie anſwered them; and that they are not publiſhed, becauſe it is not thought a thing expedient to bee done. But I pray thee, gentle Reader; who will beleeue theſe Ieſuits? what wiſe man will euer thinke that the Ieſuits haue for the ſpace of eyght or nine yeares conſidered howe to anſwere my bookes, and after the anſwere is vndertaken, cannot tell if it bee expedient to publiſhe the ſame? for as the Philoſopher can tell them, *Vltimum in executione, debet primum eſſe in intentione.* That which is the laſt in execution, muſt bee the firſt in intention. Yea, the very light of Nature and daylie experience teacheth vs; that in all our actions wee muſt chieflie and principallie reſpect the end, for the which wee intende to doe them. They dare not fight the combat valiantly, neyther with the long ſworde, nor

nor yet with the ſhorte. They dare not encounter mee, and caſt mee their Gauntlet, No, no, *Negry quidem*, can bee extorted from their pennes. Againſt the latter ſect, becauſe they whollie diſſent from the Papiſts, and agree with our Engliſh Churche, in the chiefeſt fundamentall points of Doctrine, an other manner of methode, and a different kinde of proceeding, muſt bee vſed againſt them. They exclaime with open mouthes, and crie out againſt our Engliſh Church; flying from our companies, and deteſting vs, as prophane, polluted, and forlorne people. They vſe Conventicles, Whiſperings, and meetings, in Woodes, Fieldes, and odde corners. They beare the ſimple people in hand, that our Temples are prophaned; our Doctrine corrupt, our Sacraments impure, our Byſhops Antichriſtian, and our kind of Church-gouernment repugnant to that ſacred forme and order, which our LORD IESVS preſcribed in his holie worde. They ſay of themſelues (but *Laus proprii oris ſordeſcit,*) that they are inſpired of the holy Spirit, that they are ſent from Heauen to reforme our Church, and to direct it into all Truth. With which faire ſpeeches, and ſugred words, (alas for pitie) they ſeduce the rude vulgar ſorte, ſteale away their hearts, and make them diſobedient to higher powers. And while theſe good fellowes, (the *Browniſts* and *Martiniſts*,) ſeeke to bee reputed the onely wiſemen vpon Earth, they neither knowe what they ſay, nor yet whereof they affirme; but doe open a large window to all diſloyaltie and ſedition euery where, and giue the Papiſts ſome comforte and hope, once to enioye theyr long expected daye. In regarde hereof (moſt Reuerend Father, and worthie Prelate,) my ſelfe (though the meaneſt of manie thouſands in this our Engliſh

Churche) haue thought it *operæpretium*, to vſe my Penne in my plaine and ſimple manner, for the vnitie and true peace of our Engliſh Sion. and for the manifeſtation of the lawfull gouernmẽt thereof. I haue in this preſent diſcourſe (moſt honourable, conſtant, wiſe, and chriſtian Patron, of the Churches libertie, power, freedome, & auncient prerogatiue, which the Browniſts and fooliſh Martiniſts would turne vpſide downe,) made euident demonſtration of the lawfull gouernment of our Church. And that is done in ſuch compendious manner, as neither the Reading can be thought tedious, nor the price of the booke chargeable, with ſuch perſpicuitie, as the moſt ſimple, (euen very babes and children,) may with al facility underſtãd the ſame with ſuch ſufficiẽcie, as no Browniſt, or Martiniſt, or other malitious aduerſarie of our churches godly ſetled gouernment whoſoeuer, ſhall euer be able while the world indures: either with Scriptures, Councels, Fathers, or Eccleſiaſtical Hiſtories, to gainſay or withſtand the ſame. I haue ſuccinctly and euidently, ſet down before the eyes of the indifferent Reader, that the monarchical gouernãce of our Engliſh church, is both the beſt and the moſt laudable of all others. That there is & euer hath beene in all former ages of the church, ſuperioritie of one church-miniſter aboue and ouer another, and that one may this day lawfully haue iuriſdiction ouer another. That Biſhops, Arch-biſhops, Primates, Metropolitains, & Patriarches, haue euer beene in the church: euen from the Apoſtles themſelues. That no church-laws, canons, ordinances, or conſtitutions Eccleſiaſticall whatſoeuer; either ought to be eſtabliſhed, or can bee of force, ſtrength, power, or authoritie, without the lawfull aſſent of the ſupreme ciuill magiſtrate. That the church hath power,

freedome,

freedome,& authoritie, to dispose of all indifferent things, to ordaine ceremonies, and Ecclesiastical rites, to appoint, make, constitute, and establish lawes, canons, ordinances, and constitutions whatsoeuer not repugnant to Gods holy word, so that it be done for any one of these three ends, viz. For order, for comlinesse, or for edification sake, that there is grauitie, decencie, modestie, and edification; as well in the apparell allotted for the Ministers and the ministerie, as in the other ceremonies of our English Church. That the gouernment of euery particular Church may be altered and changed, as the circumstances of times, places, and persons shal require. That no charge is so tied to the practise of the Apostles, but for her necessitie she may alter & change the same. Many other points of great moment, are handled in this compendious discourse. To which or to some part thereof, all that may be reduced with facilitie, whatsoeuer the aduersaries haue said or possibly can say, against the gouernment of our English Church. The worke such as it is, (most gratious Lord,) I humbly dedicate vnto your grace, as well to giue a signification of a thankefull minde for all your graces fauours towards me, namely, for your great liberalitie in time of my sickneste at my last being at London, as also for your graces most Christiã zeale, singular care, & painful endeuours, employed for the good and quiet of the Church; both of late dayes, about the most profitable and necessarie canons of *Anno*, 1604; and in former times, euen euer since Church-gouernment was first imposed vpon you. For which holy vigilancie and godly care, though the Brownists, the Martinists, and other enuious and malitious male-contents, doe both thinke and speake hardly of your grace, yet are all that loue the common good and peace of our English Church, bound in the

highest

higheſt degree to bee thankfull to your Grace for the ſame. The Almightie preſerue your Grace, confirme your Godlie zeale againſt the diſturbers of the common peace, and giue you a long and happie life vpon Earth, (for his owne glorie, and the Godlie gouernment of his Church,) and life eternall in the worlde to come.

Amen.

Your Graces moſt humble and moſt bounden,

Thomas Bell.

THE REGIMENT of the Church.

CHAP. I.

Of sundrie kinds of gouernment, with the nature, qualitie, and condition of the same.

ARistotle, that worthy, learned, & famous Philosopher, shewing plainly in a large politicall discourse, that there be three kinds of lawful *Regiment*, and three likewise of wicked *Gouernement*, neither more nor fewer. The first lawfull kinde as called, *Monarchia*, a Monarchy, when one alone doth rule & gouerne. The second is called, *Aristocrateia*, an *Aristocratie*, when a fewe of the best in the common-weale doe gouerne it. The third is called *Democratia*, a *Democratie*; when many of the vulgar people doe rule. For euery state of the Church & cõmon weale, doth either seeke the publique good thereof, or their owne priuate gaine and pleasure. If the common good be sought and intended, the gouernment is godly; but if priuate gaine or pleasure be either wholy or principally intended, the gouernment is wicked. If the gouernment be lawfull, right, and godly, it is either by one, and called a Monarchie, or by some fewe of the best, and called an *Aristocratie*, or by many, and called a *Democratie*. If the King or

Monarchia.

Aristocrateia.

Democratia.

Aristotel. Lib. 3. Polit Cap. 5. & Lib. 8 Ethic. Cap. 10.

Monarch ruling alone, (as our moſt gratious Soueraigne hath told vs moſt learnedly in his *Baſilicõdoron*.) (hal by the making and execution of good lawes, acknowledge himſelfe ordained for the good of his people, and thereupon employ all his ſtudie, care, induſtrie, and endeuours, to procure, eſtabliſh, and maintaine their welfare, and true chriſtian peace, as their naturall father, and kindly maiſter; then is he a King indeede, and his gouernmẽt a true Monarchy. But if he ſtudie to frame the gouernmẽt of the common-weale, to aduance his priuate lucre, to ſatisfie his own ſingular contentment, and to ſerue his inordinate and ſenſuall pleaſure, he is then ſo farre from being a king indeed, that he is become a flat tyrant, and his gouernment changed into a plaine tyrannie. If few doe gouerne well, being of the beſt and wiſeſt, it is a lawfull *Ariſtocratie*: but if theſe few gouerne wickedly, ſeeking their own priuate, & not the cõmon good, it is called an vngodly *Oligarchie*. If many rule wel, it is called a *Democratie* or popular ſtate, but if they gouerne naughtily, it is termed a *Timocratie*, *Ochlocratie*, or *Anarchy*. Wher the gentle reader muſt ſeriouſly obſerue with me, that paucitie and multitude, are not the eſſential differences of *Oligarchie* and *Timocratie*: but wealth and pouerty are the things indeed, which work the intrinſecal diſtinction in theſe defects of pollicie. Theſe kinds of Regiment may analogically in ſome proportion, be applied to the inferiour magiſtrates vnder his moſt excellent maieſtie; *viz.* to the LLs. of the moſt honourable priuie Councell, the L. Chauncellour, the L. Treaſurer, the Iuſtices of the *Kings-Beneh* & Cõmon place, Barons of the Exchequer, Iuſtices of Peace, *&c.* & in ſundry places and cauſes, to the cõmons of this Realme. Which obſeruation if it be wel remembred, will be a motiue to put euery one of them in mind of their place & calling, that they may vſe their gouernment accordingly. This diſcourſe is ſo cleere and euident, as I deeme it a thing altogether needleſſe to vſe further proofe therein. For all learned men, both Philoſophers and Diuines, doe with vniforme aſſent ſubſcribe thereunto. *Obiection.*

Baſilicon doron. Pag. 25.

Tyrannis.

Oligarchia.

Timocratia Ochlocratia. Anarchia.

Analogice in ſuo genere.

Obiection. 1.

The Law of nature teacheth vs, that wee may loue our ſelues more then our neighbours. For which reſpect, God himſelfe appointed mans own loue to be the ſquire & rule, by which he muſt meaſure his loue toward his neighbour. The king therefore is not bound to regard more the good of his ſubiects, then his owne priuate commoditie, and the contentation of his mind.

The Anſwere.

I anſwere with S. *Auſten*, that kings muſt ſerue God two waies. First, as men: which thing is performed, by liuing godly, ſoberly, & iuſtly. Secondly, as kings; which they may performe, by the making & execution of godly lawes, for the honour and ſeruice of God principally: and ſecondarily, for the cõmon good and peaceable gouernment of their people. *I* ſay, (by the making & execution of godly lawes,) becauſe it is not enough for Kings to make godly lawes, vnleſſe they procure the ſame to be duly executed. In the former reſpect, kings may loue themſelues more then their ſubiects; but in the latter, (*viz.* as they are kings,) they muſt haue greater care to procure the welfare and good of their people, then the welfare and good of themſelues. And the ſame may be ſaid Analogically & proportionally, of all inferiour magiſtrates. To which I muſt needs adde, that the honour, wealth, and preſeruation of a king, is indeede the honour, wealth, peace, and good of his people. So that euery way the kings owne loue is reſpected, and his own honour and good procured.

Auguſt. epiſt. 50. ad Bonifac. 1 2

Obiection. 2.

If the king, by his vngodly gouernment, may become a tyrant, then may his ſubiects reſiſt his proceedings, then may they depoſe him from his royall Diademe, Scepter, and Regalitie.

The Answere.

I answere, that a kingdome may be possessed two waies; *viz*, by election, and by succession or discent of blood royall. They that are kings the first way (as the Emperour of the *Romans*, the king of *Polonia*, and if there be any others of like sort,) if they change their gouernment into tyrannie, and violate the lawes, to which by couenant, oath, and promise, they stand obliged in their election; they (*I* say,) may be deposed by the same power & authoritie, by which they were inuested into their throne. The reason hereof is euident; because the possession, right, and vse of their regall authoritie, is not independant & absolute, but conditionall and relatiue; and consequently, such a King degenerating from his oath and promise, standeth at the curtesie of his electors, concerning the interest, possession, and vse of his prerogatiue royall. But they, who are Kings by discent and succession in blood royall, (as is our most wise, pious, learned, and religious Soueraigne, who happily this day raigneth ouer vs,) haue an absolute and independant soueraigntie ouer their subiects, which neither doth, nor euer did stand, in the curtesie, power, and pleasure of their people. For Kings by succession and discent in blood royall, are Kings *Ipso facto*, so soone as their auncestors are deceased, euen before the act of their annointing and Coronation, as also before the oathes which vsually they take for the godly administration of their kingdomes. Such ceremonies, though they be very comely and expedient for sundrie respects, yet are they not any essential part of their princely rights and royall prerogatiue, how necessarie soeuer some esteeme the same, deeming them no Kings without them. And consequently, their proceedings may not vndutifully be resisted; much lesse may their authoritie be gainsaid; and least of all may their sacred persons be deposed from their Scepters and prerogatiues royall. No, no, not though they should degenerate and fall into tyrannie, or flat Atheisme and Apostasie. And yet I freely graunt, that as the king is aboue his Bishops in respect of his royall *Regiment*, and hath power to correct and punish them; yea, euen to depose

Kings by succession, are Kings indeed, before their Coronation.

pose and displace them, as King *Salomon* deposed *Abiathar*, if the cause so require: *So semblably is the Bishops power, in respect of his Ministrie, touching exhortation and rebuking, aboue the Princes. In regard whereof, the good Bishop Saint* Ambrose *is highly commended for his Godly zeale, and Christian courage, in reprehending the Emperour* Theodosius. But withall, this must euer be remembred, and most loyallie obserued of all Bishops in Christes Church; that the Prince (though full of notorious crimes) may neuer bee shunned, neither of the people, nor yet of the Bishops: because he is appointed of God, to be their gouernour. Much lesse may the people forsake their obedience to his authoritie, because they must forsake their obedience to his vices. Hee may be shunned priuatelie, and his vices detested generallie: but loyall obedience and faithfull seruice, may neuer be denied him. *Hee may bee admonished by the Bisheppes in the court of Conscience, concerning his publique offences*: but he may neuer be iudged in the court of their Consistorie, touching his Royal power, and Princely prerogatiue. He may be reproued, if his faults bepublique and notorious; but his subiects may neuer depose him, because their authoritie stretcheth not so farre. Hee hath no Iudge that can punish him, but the great Iudge of all, euen the God of Heauen. Of which subiect I haue elsewhere disputed more at large. The generall councel of *Constance* (where was present that great learned Doctor, *Iohannes Gerson, then Chauncelour of Paris,*) condemned it for a notorious heresie, and him for an Heretique that held the same; *viz.* to holde and maintaine it to be a thing lawfull for the subiects to kill euery Tyrant that reigned tyrannically ouer them. Where wee must obserue & marke seriously, the word (euery.) For the Councell condemneth not the killing of those Tyrants, which raigne tyrannicallie by violent intrusion and vnlawfull vsurped possession; but the killing of those Princes (though raigning tyrannically, and liuing most licentiously,) who were inuested and inthronized into their kingdomes, by lawful descent of blood royall, and auncient hereditarie succession.

1. Reg. 2. V. 27.

Vide infra, cap. 11. in resp. ad 1. obiect. in 6. propos.

In my motiues, and golden ballance. Conc. Constan. sess. 15.

Mark this wel.

CHAP. II.

Of the chiefeſt and beſt kinde of Gouernment.

ARiſtotle that famous Philoſopher, hauing reckoned vp the three former kindes of Gouernment, adjoyneth forthwith theſe golden wordes; *Atque harum optima quidem eſt regnum, deterrima verò cenſuum poteſtas,* And the beſt of theſe Gouernements, is a Monarchie or Kingdome, but the worſt is a *Democratie.*

Ariſtot. Ethicor. lib. 8. cap. 10. lib. 3. polit. cap. vlt.

The *Iſraelites* and people of the *Iewes*, were euer gouerned by a Monarchie; euen from *Adam* vnto *Chriſtes* moſt ſacred Aduent. For firſt, the Patriarkes had the rule and gouernment. Secondly, *Moſes* and *Ioſua* were the leaders and gouernours of the people. Thirdly, *Gedeon, Iair, Samſon*, and others, did rule and iudge the *Iſraelites.* Fourthly, Kings, *Saul, Dauid, Salomon, Iehoſaphat, Ezechias, Ioas*, and others. Fiftly, *Zorobabel* and the *Machabees* were gouernours. And this gouernment continued, euen from the Captiuitie vntil *Chriſt.*

1 2 3 4 5

This kinde of gouernment to bee the beſt, may eaſilie be prooued: aſwell by the manner of Mans creation, as by the naturall propenſion giuen vnto him. Touching the manner, wee are all framed of one, not of many. The Protoplaſt *Adam*, of the earth; of him, *Eue*; of them twaine, all the reſt. Herevppon Saint *Chryſoſtome*, (who for his great learning and Eloquence, was ſurnamed the golden mouthed Doctor,) concludeth a Monarchie or Kingdome, to bee the beſt kinde of Gouernment vppon earth. His wordes are theſe: *Equidem ſi quanquam*

hoc

hoc sint pacto geniti, primus tamen statim hominum semine parentum procreatus adeo insanuit, tantam rixam, tantam inuidiam Diabolus seminauit; quid putas fecisset, si non ab eadem prorsus radice pullulasset genus humanum? deinde, hunc imperare, illam subesse iussit; esse. n. inter aequales aemulationem nouit: itaque noluit esse Democratiam, sed Regnum.

For although they be thus begotten, yet if hee that was the first man produced by the seede of his parents, did so rage, and was so furious: and if the Diuell also did raise vp such contention and enuie: what thinkest thou would hee haue done, if mankinde had not issued out of the same roote? He therefore commanded the one to rule, the other to obey. For he knew, that emulation would arise among equalls. He therefore would not haue a *Democratie*, or popular state, but a Kingdome. Thus writeth this learned father.

Touching naturall propension, which must needes bee referred to God the author of Nature: it appeareth by it, that a Monarchie or rule of one, is most agreeable to nature it selfe. For first, in euery house the Father of the familie 1
doth gouerne all the rest: the wife, the children, and the seruants. Againe, the greatest part of the whole worlde, 2
is gouerned by kings. Thirdly, Monarchies and Kingdomes are farre more auncient, then either *Aristocraties*, or *Democraties*. For proofe hereof, the onely testimonie of the excellent Historiographer *Iustinus* may suffice. These are his words: *Principio rerum, gentium nationumque imperium penes reges erant: quos ad fastigium huius maiestatis, non ambitio popularis, sed spectata inter bonos moderatio prouehebat.* *Iustinus hist. lib. 1. in initio.*

In the beginning of the world, the gouernment of people and nations was vnder Kings: whome vertue, & not popular ambition, aduaunced to that high seate of Maiestie. Fourthly, the creatures which are without 4
reason, and haue onely sense, seeme naturally to desire the gouernment of one. The holy Fathers doe

so

ſo teſtifie of them, and experience it ſelfe doth ſhew it to be ſo. S. *Hierome* hath theſe words; *Nulla ars abſque magiſtro diſcitur. Etiam muta animalia & ferarum greges, ductores ſequuntur ſuos. In apibus principes ſunt. Grues vnum ſequuntur, ordine literato. Imperator vnus. Iudex vnus prouinciæ. Roma, vt condita eſt, duos fratres ſimul habere reges non potuit, & parricidio dedicatur.*

Hier. ad Ruſticum, t. 1. Fol 22. B.

No Art is learned without a maiſter. Yea, euen the dumbe cattell, and flockes of wilde beaſtes, doe all follow their leaders. The Bees haue their gouernours; & the very Cranes follow on in order, in forme of a letter. There is one Emperour. There is one iudge of a prouince. *Rome* was no ſooner built, then it abhorred to haue two kings at once to rule ouer it; ſo as without cruell murder, the dedication thereof was not accompliſhed. But what neede is there of further proofe in this diſpute? ſeeing it is euident to al that hold the Chriſtian faith aright, that God omnipotent is the ſupreme Monarch in heauen and earth, and gouerneth by that kind of regiment, which is neither *Democraticall*, nor yet *Ariſtocratical*, but monarchicall; and conſequently, a monarchy muſt needes be the beſt kind of gouernment. And whoſoeuer can and liſt to read that holy, auncient, and learned father S. *Ciprian*, ſhall finde this diſcourſe ſo apparant, as he can neuer ſtand long in doubt thereof. I therfore conclude, that whoſoeuer ſhall denie a ſimple monarchie to be the beſt kind of gouernment, muſt perforce fall vnawares, into the error of the *Marcioniſtes*, of the *Manichies*, and of the *Ethnickes*. For if it be true, as it is moſt true, as all Chriſtians muſt confeſſe, that the world is ruled in the beſt maner and beſt kind of gouernment by God that made it, it muſt follow of neceſsitie, that neither a *Democratie*, nor yet an *Ariſtocratie*, is the beſt forme of Regiment. For otherwiſe doubtleſſe, there muſt be many makers of this world, and many Gods.

Ciprian de idolorum vanitate

CHAP.

CHAP. III.

Of the kind of gouernment, of the Church and common-weale of England.

NOw seeing it is true, (as is alreadie proued,) that a Monarchie is the best kind of gouernment, and that the Church and common-weale of *England*, is gouerned by a most wise, most learned, most vigilant, and most religious Monarch, Gods faithfull seruant, and our gratious and most happie Soueraigne, it followeth by a necessarie consequence, that the kind of gouernment vsed in the Church and common-weale of *England*, is the best and most laudable of all other. For (as our gratious soueraigne writeth most learnedly,) paritie is an enemy to vnitie, and the mother of confusion. The selfe same saith S. *Chrysostome*, when he auoucheth degrees and superioritie to haue therefore bene appointed, because equalitie engendreth strife and contention. The same saith *S. Cyprian*, when he affirmeth boldly, that heresie, or Schisme did not rise of any other occasion, but onely vpon this, that there was not one Priest and one Iudge for the time, appointed in the Church in the stead of Christ, to whom the whole brotherhood should yeelde obedience. The same saith S. *Hierome*, when he auoucheth one to haue beene chosen among the Bishops to rule ouer the rest, least euery one according to his own fansie, should teare in peeces the church of Christ. Yea, a *Monarchicall* gouernment is so necessarie euery where, and in all sorts of creatures, that S. *Chrysostome* acknowledgeth it amongst the bruite beasts: in the Bees, Cranes, flockes of sheepe, and Fishes of the Sea. And therfore after a long discourse, he concludeth in these wordes, *Libertas, n. illa dissoluta ac moderamine carens, vbique mala,*

Basilicon doron. Pag. 41.

Chrysost. in 13. Cap ad Roman.

Cyprian. libr 1. epist. 3.

Hieron. ad Evagrium. to. 3. Fol. 150.

Chrysost. in 13. cap. ad Rom. col. 256.

confusionisque

confusionisque causa est. For dissolute libertie without gouernment, is euery where euill, and the cause of confusion. But because the excellencie of English gouernment, shall be proued by degrees throughout this whole discourse; thus much shall suffice for this place, because I endeuour to auoide tautologie, and not to bee tedious to the Reader.

CHAP. IIII.

Of the supreame government of the ciuil magistrate ouer all persons and all causes, within his Realmes, territories, and dominions.

See the downfall of Poperie, & the golden ballance of triall.

IF this theame I haue written more largely in other treatises, and therefore I purpose now to speake no more thereof, then I deeme conuenient for the matter I haue in hand. For which purpose it were enough to well effected Readers, to call to minde that the godly Kings as well in time of the law of *Moses*, as in the time of the new testament and lawe of grace, did manage all matters both of Church and Common-weale; and therefore the ciuill magistrate was commanded to reade the booke of the whole lawe, as well of the first as of the second table, and to studie the same night and day. Therefore was the ciuil magistrate commaunded, to goe out and in, before the people, and to leade them out and in, that the congregation of the Lord, bee not as sheepe which haue no shepheard. Therefore was the booke of the Lawe, deliuered into the Kings hands, at such time as hee receiued the crowne and was annointed. *Musculus* a great learned man, and famous writer, affirmeth resolutely; that the care of reforming and maintaning religion, doth more appertaine

Ios. 1. 8.
Numer. 27. *Vers.* 17.
2. *par.* 23. *Vers.* 11.

appertaine to the ciuill magistrate, then to the Ministers of the Church. His expresse wordes are these; *Moses Primus catholicus Israelis magistratus, personam gerens, non sacerdotis, quæ Aaroni imposita fuit, sed superioris potestatis, similem regiæ, omnem in populo dei religionẽ constituit, ipsique Aaroni, & levitarum ordini, facienda & vitanda prescripsit. In quo manifestè videmus, disponendæ religionis curam, magis ad superiorem magistratum, quàm ad sacerdotum ordinem pertinere. Sequitur; post mortem Mosis, cura religionis vnâ cum magistratu, devolutæ est non ad Eleazarum sacerdotem, sed ad Iehosuah filium Nun, de triba non Levi, sed Ephraim. Huic mandabat dominus, vt filios Israel secundò circumcideret. Erat autem circumcisio, signum fœderis dei, omninò ad religionem pertinens. Sequitur; in persona Samuelis cohæsere quidem & magistratus & sacerdotium, veram moderandæ religionis curam sustinuit ille quoque, non vt sacerdos, sed vt magistratus, quo, tum non erat in Israele superior: vt magistratus indicabat Israelem, ac disponebat publica omnia, tam sacra quam prophana; vt sacerdos sacrificabat, pro populo orabat, illumque docebat.* *Musculus de magistr. pag. 628. & P. 629. & P. 632. & infra. cap. prope finem, nota. Ios. 5. cap.*

Moses the first Catholique Magistrate in *Israel*, bearing the person not of a priest which was imposed vpon *Aaron*, but of an higher power like vnto a Kings, appointed order for all manner of Religion in the people of GOD, and prescribed to *Aaron* himselfe and to the order of the Leuits, both what they should doe, and what they should auoide and leaue vndone. Wherein we see euidently, that the care of ordering Religion doth more pertaine to the higher magistrate, then to the order of the *Priests*. After the death of *Moses*, the care of Religion, together with the Magistracie, was devolued not to *Eleazar* the *Priest*, but to *Iosuah* the sonne of *Nun*, who was not of the Tribe of *Leui*, but of *Ephraim*. To him God gaue cõmandement, that he should circumcise the second time the children of *Israel*. But circumcisi-

on doubtlesse was the signe of Gods couenant, which pertaineth wholy to religiō. In the person of *Samuel*, there did cohere both the Magistracie & the Priesthood; but he receiued the charge of moderating religion, not as hee was a Priest, but as hee was a Magistrate, greater then whom there was none at that time in *Israel*. As a magistrate, he did iudge *Israel*, and ordered all publique affaires, as well sacred as prophane, ecclesiastical as ciuill; but as a Priest, hee offered sacrifice, prayed for the people, and taught them.

Out of these wordes of this great learned writer, I note these golden lessons for the good of the well affected Reader. Pi 1 First, that *Moses* was a ciuill magistrate, hauing authoritie like vnto a king. 2 Secondly, that his power was greater, then was the authoritie of *Aaron* the hie Priest. 3 Thirdly, that *Moses* ordered all matters in religion, and not *Aaron* who was the hie Priest. 4 Fourthly, that he appointed to *Aaron* and to the whole order of the Leuites, both what they should doe, and what they should leaue vndone. 5 Fiftly, that the charge & care of religion, doth appertaine more neerely to the magistrate, then to the order of the Priests. 6 Sixtly, that the magistrate hath the charge and care of ordering religion, inseparably annexed to his ciuill office, in that hee is a magistrate. 7

Seuenthly, that a Bishop may haue authoritie to deale in ciuil causes, as *Samuel* did. 8 Eightly, that *Samuel* disposed all ecclesiasticall affaires, not as hee was Priest, but as hee was the ciuill Magistrate. All which obseruations, this learned writer proueth by the examples of many kings; of *Dauid*, *Salomon*, *Asa*, *Iosaphat*, *Ezechias*, and others. And of King *Dauid*, hee addeth this most golden and memorable sentence; (Dauid) *quoniam sciebat hanc primam curam pertinere ad reges & magistratus, vt religio Dei ritè disponatur, hortatus eos est ad id officij*. *Dauid* because he knewe this chiefe care to pertaine to magistrates, to see religion rightly ordered, he exhorted them to that office, saying; Now ô Kings vnderstand, be learned, yee that iudge the earth. Whosoeuer readeth this learned writer seriously throughout his whole

Musculus, vbi supra. vide eundem authorem infra, cap. 11. in resp ad 2. obiect 6 propositionem, & nota valde valde. Psal. 2.

discourse

discourse, can no longer stand doubtfull of the truth of this question.

Zanchius de Religione cap. 16, art. 9

Zanchius a most learned writer, and a man of singular iudgement, in that booke which he left, for a testimonie of his faith and Christian beliefe vnto the world, and therefore the more to be regarded, hath these expresse wordes: *Improbamus & illos, qui authoritatem in religione, necis tantum causa attribuũt magistratibus: dum illos negant authoritatem habere conuocandi synodos, deliberandi de religione, reformandi ecclesias, & quæ ad populorum salutem pertinent, e sacris literis statuendi, aliúdque eos esse nolunt, quàm eorum quæ ab episcopis definiuntur, exequutores.*

Wee reproue in like manner all those, who yeelde and giue authoritie in religion vnto Magistrates, onely in Capitall matters touching death, whilest they denie them authoritie to call Synodes to consult of religion, to reforme Churches, and to appoint out of Gods word, the things that pertaine to the saluation of their subiects: and will onely haue them to bee the bare exequutors of those things, which the Bishops doe decree.

Thus writeth this learned Doctor, a man of as great a iudgement, as any is in the christian world. Out of whose words I note first, that he condemneth many, who now adaies thinke themselues very wise. 1 Secondly, he auoweth that magistrates haue authoritie to call Synodes. 2 Thirdly, that they haue power to deliberate of religion. 3 Fourthly, that they haue authoritie to reforme the ministers and church-affaires. 4 Fiftly, that they haue power to order those things, which pertaineth vnto mans saluation. 5

Maister *Martyr* a very learned writer, discourseth at large, both of the authoritie of the minister and of the magistrate. He sheweth most excellently, both how the minister ought to exhort and rebuke the magistrate, and how the magistrate ought to reforme, gouerne, and punish the minister. Some part of his golden discourse I will briefely set downe, referring the reader for the rest to the place quoted in the margent.

Petrus Martyr, in lib. Iudic. cap. 19. Fol. 161.

Nihil est in toto mundo, ad quod verbũ dei se non extendat, quo-

circa longè falluntur, qui clamitare solent; quid conscionator cum rep. quid cũ armis? quid cum pharmacopolis? quid cũ cocis? at di. eat &c. There is nothing in the whole world, to which the word of God doth not extend it selfe. Wherefore they are farre deceiued, that are wont to exclaime and say; What hath the Preacher to doe with the Common-weale? what hath he to doe with warres? what with the Apothecaries? what with cookes? but let these good fellowes tell vs, why the Minister of Gods word, when he perceiueth Gods law to bee transgressed in these things, may not rebuke the same out of Gods word? why hee may not admonish the malefactors? why he may not exhort them to desist from sinne? it is his part doubtlesse to reproue sinners; not with the sword, not with *Pecuniarie mulct*, not with imprisonment, not with the sword, not with exile, but with the force & power of Gods word. Then this learned man proceeds, and telleth vs, that the ciuill Magistrate must see and prouide, that the *B*ishops, Pastors, & Doctors of the Church, doe teach Gods word purely, rebuke sinners fatherly, and administer the Sacraments reuerently. After this, he telleth his Reader, that kings haue not charge onely of the bodies of their subiects, but of their soules also. For, (saith this great learned Doctor,) we must not make princes swineheards and heardmen for keepers of cattell, who haue care onely of the bellies, flesh, and skinnes of their subiects; because kings must prouide & see, that their subiects liue vertuously and in the feare of God: yea, he saith further, that if the Ministers teach not aright, or doe not administer the Sacraments orderly: thē the Magistrate must reduce them into order, and see that they teach sincerely, and doe not abuse the Sacraments, nor deliuer thē otherwise then Christ hath commanded. And if they liue wickedly and disorderly, he must depose them from the Ministerie. Thus writeth this Doctor, and much more he hath to the like effect, but I studie to be briefe.

Bucerus de regno Christi, lib. 2. cap. 1

M. *Bucer* an other great learned Clerke, in that worthy worke which he dedicated, to king *Edward* the *6.* of happy memorie, telleth him resolutely, that euery soule is subiect

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to his Empire, aswell the *Bishops* as the rest of the Clergie: and that therefore he must be the more vigilant, and carefull, to reforme them and their Ministerie. And M. *Calvin* in his Epistle to Queene *Elizabeth* of happie memorie, ascribeth vnto her the same prerogatiue, in causes Ecclesiasticall: very earnestly exhorting her Maiestie, in the bowels of *Christ Iesus*, to bee carefull in purging the Church from superstition and poperie. See the xj. Chapter in the fixt proposition, in the answere to the first Obiection, and note it well.

Calvin. in Epist. ante Esaiam, ad Eliza. Angliæ, Reginã.

CHAP. V.

Of the Degrees of Ministers, *Bishops*, Arch-bishops, Metropolitanes, and Patriarches, and of their Antiquitie in the best and purest times of the Church.

Paragraph first, of the degrees and superioritie of one Minister ouer an other.

SAint *Austin* that famous writer and strong pillar of *Christs* Church, who liued aboue 1200. yeares agoe, affirmeth resolutely and plainly vnto S. *Hierome* beeing then an Elder or Presbyter of *Christes* Church: that his authoritie and degree, was aboue S. *Hieromes*, becausse hee was a *Bishop*. These are S. *Austins* owne words: *Quanquam.n. secundum honorum vocabula, quæ iam vsus ecclesiæ obtinuit, episcopatus presbyterio maior sit, tamen in multis rebus* Augustinus Hieronymo *minor est: licet etiam a minore quolibet, non sit refugienda vel dedignanda correctio.*

Aug. vixit, A. D. 399.

Augustin. Epist. 19. to. 2 p. 52.

For although according to the wordes of honour, which now are of force by the custome of *Christes* Church, the degree & office of a *Bishop* is greater thẽ the degree & office of a Priest or Elder: yet *Austin* is in many things inferiour to *Hierome*, neither may the superiour disdaine to be rebuked of his inferiour.

Out of these wordes of S. *Austin*, I obserue first, that to be a *Bishop* in S. *Austins* time, (at which time it cannot bee denied, but the Church was in good state and order,) was

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an higher degree then to bee a Prieſt or Elder. Secondly, that Biſhops were in thoſe dayes honourable, and called
3 Lord Biſhops; which *I* gather out of theſe words, (*ſecundum honorum vocabula*) according to the wordes of honour. Thirdly, that this ſuperioritie amongſt Miniſters had been a long time in the Church, euen before S. *Auſtins* dayes, becauſe Saint *Auſtine* ſaith, this ſuperioritie came by the cuſtome of the Church.

S. *Hierome*, who liued in S. *Auſtins* dayes, confirmeth S. *Auſtins* teſtimonie touching the ſuperioritie of one miniſter ouer an other: theſe are his wordes: *Nam & Alexandriæ à Marco Euangeliſta vſque ad Heraclam & Dionyſium Epiſcopos, preſbyteri ſemper vnum ex ſe electum in excelſiori gradu collocatum epiſcopum nominabant: quomodo ſi exercitus imperatorem faciat: aut diaconi eligant de ſe, quem induſtrium noverint, & archidiaconum vocent. quid. n. facit excepta ordinatione epiſcopus, quod preſbyter non faciat? ſequitur: preſbyter. & epiſcopus, aliud ætatis, aliud dignitatis eſt nomen. ſequitur: quod Aaron, & filij eius, atque Levitæ in templo fuerunt, hoc ſibi epiſcopi, & preſbyteri, & diaconi vendicent in eccleſia.*

Hier. epiſt. ad Euagr. tom. 3 fol. 150. B.

For at *Alexandria*, from *Marke* the Euangeliſt vnto *Heraclas* and *Dionyſius* being both Biſhops, the Prieſtes did alwayes chooſe one among them, whom they placed in an higher degree, and called him Biſhop: as if an hoſt of men ſhould make a Generall ouer them: or the Deacon chuſe one of themſelues, whom they ſawe more vigilant, and ſhould call him Arch-deacon. For what doth a Biſhop ſauing the ordination, that a Prieſt doth not? Touching a Prieſt and Biſhop, the one is the name of age, the other of dignitie. That which *Aaron*, and his ſonnes, and the Leuites were in the temple, the ſame may the Biſhops, and Prieſtes, and Deacons challenge in the Church.

This was A. D. 6. 4. whiles S. Peter, S. Paul, and others were yet liuing.

Out of theſe wordes of this holy Father and learned writer, I note firſt, that a Biſhop hath an higher degree in the Church, then hath a Prieſt or Elder. I note ſecondly,
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2 that this ſuperioritie among Miniſters, hath euer beene in the

the Church ſince the time of Saint *Marke* the Euangeliſt. Thirdly, that the name of a Biſhop is the name of dignitie & honour. Fourthly, that as *Aaron* had a degree aboue the Prieſtes in the time of *Moſes*, ſo haue Biſhops now a degree aboue the other Miniſters or Elders. Fiftly, that a Biſhop onely ordeyneth Miniſters. 3 4 5

Saint *Chriſoſtome*, who liued in Saint *Auſtines* time, had very great ſuperioritie ouer Biſhops; for hee was not onely Biſhop of *Conſtantinople*, but alſo ruled many other Churches, both in *Thracia*, *Pontus*, and *Aſia*. Theſe are the expreſſe words of *Theodoretus* in his hiſtorie, concerning this matter: *Atque hoc modo proſpexit non illi ſolum ciuitati, verum etiam toti Thraciæ, quæ eſt in ſex epiſcopatus diuiſa, & cunctæ etiam Aſiæ, quæ vndecim habet antiſtites. Pontieam præterea eccleſiam, quæ eundem habet epiſcoporum numerum quem Aſia, eiſdem legibus adornavit.* *Theodor. hiſt. eccl. lib. 5. cap. 28.*

And *Chryſoſtome* the Biſhop of (*Conſtantinople*) did by this meanes not onely prouide for that citie, but alſo, for all *Thracia*, which is diuided into ſixe Biſhoprickes: as alſo for the whole Countrey of *Aſia*, which hath in it eleuen Biſhops. He alſo ruled *Pontus*, which hath the ſame number of Biſhops with *Aſia*, and beautified it with the ſame Lawes.

Out of theſe words of this holy Father, worthily ſurnamed the golded mouthed Doctor; I obſerue firſt, that hee was the Arch-biſhop of *Conſtantinople*. Secondly, that hee had alſo iuriſdiction Archiepiſcopall, ouer 28. Biſhops; in *Thracia*, *Aſia*, and *Pontus*. And that the Reader may fully know what iuriſdiction this holy Father vſed ouer theſe Churches; two things muſt be remembred, which are ſet downe in the place quoted in my Margent. The one, that he commaunded the Prieſts to liue after the Lawes. The other, that he did depriue them of their Prieſtly function, which did violate and tranſgreſſe the lawes. So then it is cleare and euident, that there are degrees of ſuperioritie amongſt Miniſters; yea, that one *B*iſhop hath iuriſdiction 1 2

ouer another: as S. *Chryſoſtome* being a Patriarch, had ouer 28. other Biſhops.

An. D. 97. S. *Ignatius*, who was Biſhop of *Antioch*, and S. *Iohns* diſciple, and liued in the Apoſtles time, *A. D. 97.* ſheweth euidently, that in his time one Miniſter had rule ouer another, the Biſhops ouer the Prieſts. For writing to the people of *Smyrna* in *Aſia*, he hath theſe expreſſe words; *Honorate Deum, vt authorem omnium & dominum, Epiſcopum autem tanquam principem ſacerdotum, imaginem Dei ferentem; principatum quidem ſecundum deũ, ſacerdotium verò ſecundum Chriſtum.* Honour God as the authour and Lorde of all things, and a Biſhop, as the Prince or chief of Prieſts, bearing the image of God; ſuperioritie according to *GOD*, Prieſt-hood according to Chriſt. And in the ſame Epiſtle hee reckoneth vp ſeuerall degrees: of Biſhops, Prieſts, Deacons, and Lay-men. The ſame *Ignatius*, in that Epiſtle which he wrote to the Church of *Trallis* in *Aſia*, hath theſe words: *Quid eſt. n. Epiſcopus, niſi omnem principatum & poteſtatem omnium illorum tenens, quemadmodum deceat hominem tenere imitationẽ dei factum ſecundũ virtutẽ.* For what is a Biſhop, but one that hath power and rule ouer them all, (he ſpeaketh of Prieſtes and Deacons,) as it becommeth a man made according to vertue, to keepe the imitation of God. Thus writeth this holy Father, who ſuffered a moſt cruell death for the teſtimonie of *Ieſus Chriſt*: beeing caſt out to wilde beaſts, to be torne of them in pieces for the truths-ſake. Of theſe his Epiſtles and Martyrdome, S. *Polycarpe*, S. *Hierome*, and *Euſebius Caſarienſis*, doe all three yeede a moſt lawdable and conſtant teſtimonie; ſuch as is able to penetrate any mans heart, that ſhall ſeriouſly peruſe the ſame.

Euſeb. lib. 3 cap. 30. Hier. in catal. ſcript. eccleſ. tom. 1. fol. 124. A.

S. *Epiphanius*, and S. *Auſtin*, doe both of them enroll among hereſies, this opinion of *Aerius*: that a Prieſt, or Paſtor, was equall to a Biſhop. *Cum eſſet preſbyter, inquit Auguſtinus, dolmiſſe fertur, quod Epiſcopus non potuit ordinari. Sequitur: dicebat etiam, preſbyterum ab Epiſcopo nulla differen-*

Auguſti. de hareſib. ad quodvult deum to. 6. hareſ. 53.

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rentia debere discerni. *Aerius* saith S. *Austin*, being himselfe a Priest, is reported to haue bene very sory, that hee could not be made a Bishop. The same *Aerius* held also this opinion, that there was no difference betwixt a *Priest* and a Bishop. S. *Epiphanius* affirming that *Aerius* held the same errour, confuteth it by many sound reasons, amongst which this is one: *Dicere, n ipsum Episcopum & Presbyterum aequalem esse, quomodo erit possibile? Episcoporum. n. ordo patrum generator est: patres. n. generat ecclesia. Presbyterorum verò non potens generare patres, per lauacri regenerationem generat filios ecclesiæ: non tamen patres aut doctores.* For to say, that a *Bishop* and a Priest are equall, how is it posible? For the order of *Bishops* is the begetter of the Fathers: for that order begetteth Fathers to the Church. *But* the order of Priests is not of abilitie to beget the *Fathers*: but it begetteth sonnes to the Church by the regeneration of *Baptisme*: yet not *Fathers* or Doctors. This auncient *Father* liued aboue 12. hundred yeares agoe, at which time it was holden for a grosse errour generally, to say, affirme, or thinke, that a *Priest* was equall to a *Bishop*, in degree, dignitie, or iurisdiction.

Epiphan. cont. haref. lib. 3. to. 1. haref. 75. pag. 196.

A.D. 372.

This reason which S. *Epiphanius* maketh touching the begetting of *Fathers* to the Church, is invincible, and neuer can be answered. It is the very same in substance with that of S. *Hieromes*, which I haue set downe already: *viz.* that a *Bishop* differeth from a *Pastorall* Elder, by the power of ordaining and making Ministers. And, to proue the superioritie of a *Bishop* aboue a *Priest*, or *Pastorall* Elder: that which *Saint Austin* telleth vs of *Aerius*, is a flat and euident demonstration. For *Aerius* being a *Priest*, sought by all meanes to bee a *Bishop*, and was sorie that hee could not attaine and accomplish his desire. For greife whereof, hee opposed himselfe against the prudent and godly setled order of the Church: affirming very desperately as Saint *Epiphanius* saith, that a *Priest* was

euery way equal to a *Bishop*. Now I pray you, who knoweth not this to bee true? that a wise man will neuer bestirre and busie himselfe, to attaine that which he hath alreadie: But so it is, as you haue heard already; that *Aerius* being a Priest, sought further with might and maine to be made a *Bishop*: *Ergo*, it must needs be granted: that to be a *Bishop* was in those dayes, a degree & dignitie aboue a Priest. But to what end should I stand vpon this point and question, which was a position so constant, & a law so generally receiued, in the dayes of *S. Hierome*, *S. Austine*, *S. Chrysostome*, *S. Epiphanius*, *Eusebius*, *Policarpus*, & *Ignatius*, as I haue already proued? If any Reader shall thinke better of moderne writers, then of these auncient, holy, and learned Fathers: I am content for his better satisfaction, to alledge the flat testimonies and expresse wordes, of the best approued writers in this last age. M. *Caluine* hath these expresse wordes, *Quamvis. n. commune sit omnibus verbi ministris idemque officium sunt tamen honoris gradus.*

Let this point be well marked.

A. D. 372.

Aboue a thousand and 200. yeares ago.

Caluin. in 2. cor. 10.

For although there bee one Office common to all the Ministers of the word, yet are there degrees of honour (among them). Againe, in another place he hath these words, *Discimus quidem ex hoc loco, non eam fuisse tunc æqualitatẽ inter ecclesiæ ministros, quin vnus aliquis authoritate & consilio præesset: nihil tamen hoc ad tyrannicum & profanum collationum morem, qui in Papatu regnat. longe. n. diuersa fuit apostolorum ratio.*

Caluin. in cap. 1. ad Tit. vide eundem ad 2 galat. ver. 9.

We learne by this place, that there was no such equalitie among the Ministers of the Church in those dayes, but that one was preferred before an other in counsell and authoritie. Yet this is nothing like to that tyrannicall and prophane custome of ruling in Popedome, which is farre different from the manner of the Apostles.

The

The ſecond Paragraph, of the antiquitie of Biſhops, Archbiſhops, Primates, Metropolitans, and Patriarches, in the Chriſtian Church of God.

THe truth is, that the Church of Chriſt was ſometime, both without the names & degrees, of Archbiſhops, Metropolitans, Primates, and Patriarches; yet it did not long ſo continue, but was altered in the kind of gouernment, euen in the time of the Apoſtles. This affirmance S. *Hierome* maketh ſo manifeſt, that I cannot but wonder, how any without bluſhing doe denie the ſame.

These are *S. Hieroms* owne words: *Quod autem poſtea vnius electus eſt, qui cæteris præponeretur, in ſchiſmatis remedium factum eſt, ne vnuſquiſque ad ſe trahens Chriſti eccleſiam rumperet. Nam & Alexandriæ a Marco Euangeliſta vſque ad Heraclam & Dionyſium epiſcopos, preſbyteri ſemper vnum ex ſe electum, in excelſiori gradu collocatum, epiſcopum nominabant.* *Hier. ad Euagrium, Tom. 3. Fol. 150.*

But that afterward one was choſen to beare rule ouer the reſt, it was done to auoid ſchiſme, leaſt euery one ſhould draw companie to himſelfe, and ſo breake the vnitie of the Church. For at *Alexandria* from *S. Marke* the Euangeliſt vnto the Biſhops *Heraclas* & *Dionyſius*, the prieſts or elders did euer choſe one among them, whom they placed in an higher degree, and named him Biſhop.

The ſame Father in an other place, hath theſe expreſſe wordes. *Idem eſt preſbyter qui epiſcopus, & antequam diaboli inſtinctu ſtudia in religione fierent & dicerentur in populis; ego ſum Pauli, ego Apollo, ego verò Cephæ; communi preſbyterorum conſilio eccleſiæ gubernabantur. Poſtquam verò vnuſquiſque eos quos baptizauerat, ſuos putabat eſſe, non Chriſti, in toto orbe decretum eſt, vt vnus de preſbyteris electus ſuperponeretur cæteris, ad quem omnis eccleſiæ cura pertineret, & ſchiſmatum ſemina tollerentur.* *Hier. in. 1. Cap ad Titum.*

An Elder and a Biſhop are all one, and before diſſention by the diuels procurement aroſe in the Church, and the people began to ſay, I am of *Paul*, I of *Apollo*, and I of *Cephas*; the churches were gouerned by the common conſent *of the Paſtorall Elders, Miniſters, or Prieſts*. But after that euery one did thinke thoſe to be his, and not *Chriſts*, whom he had baptized; it was decreed throughout the whole world, that one of the miniſters or Prieſt ſhould bee choſen and ſet ouer the reſt, to whom the whole care of the Church ſhould appertaine, that the ſeeds of ſchiſme might be taken away.

Out of theſe plaine aſſertions of this holy, learned, and
1 auncient father, I obſerue firſt, that in the very beginning of the primitiue church, al the miniſters were equal in degree, and did gouerne the church with a general & cõmon con-
2 ſent. Secondly, that in very ſhort time the diuell raiſed vp ſuch diſſention in the church, that it was thought meete to alter the kind of gouernment, & to ſet one miniſter ouer the
3 reſt. Thirdly, ꝑ this was done to take away ſchiſme. Fourth-
4 ly, that this alteratiõ was made, euen in the Apoſtles dayes, *viz.* whẽ one ſaid he held of *Paul*, an other, he held of *Peter*, an other, he held of *Apollo*: at what time S. *Marke* the Euan-
5 geliſt, was made the Biſhop of *Alexandria*. Fiftly, that this
Irenæus adVerſ. Hæreſ. libr. 5. cap. 2. pag. 589. ſuperioritie among the miniſters of the church, was decreed by a ſettled lawe throughout the whole world. S. *Irenæus* hath theſe wordes; *Omnes. n. hij valdè poſteriores ſunt quam epiſcopi, quibus Apoſtoli tradiderunt eccleſias.*

For all theſe come farre after Biſhops, to whom the Apoſtles committed the charge of churches.

Vide infra, cap. 10. in reſponſ. ad 2. obiect. Maiſter *Zuinglius* a famous and zealous defender of the Goſpell, is wholy conſonant to theſe holy and ancient Fathers. His wordes ſhall be ſet downe at large, when I come to the ordering of Miniſters.

Saint *Timothy* and S. *Titus*, had ſuperioritie ouer all other Miniſters, both at *Epheſus*, and at *Creta*; and conſequently, they were made Arch-biſhops by Saint *Paul* himſelfe.

selfe. This is constantly affirmed. both by Saint *Chrysostome*, *Theodoritus*, *Oecumenius*, and many other famous writers. Saint *Chrysostome* hath these expresse wordes; *Vnus ex Pauli socijs hic fuit vir probatus; neque enim profectò illis integram insulam permisisset, neque ea quæ deerant præcepisset implenda & tam multorum episcoporum iudicium commisisset, nisi multùm illi confideret.* *Chrysost. ad Titum, hom. 1. in initio.*

This worthy man was one of *S. Pauls* fellowes; for doubtlesse, he would neuer haue committed one whole Iland vnto him, neither haue commanded things wanting to be accomplished, nor yet haue cõmitted the iudgemẽt of so many Bishops vnto him, vnlesse he had had great confidence in him. Thus writeth this holy, learned, and ancient father, touching the superioritie of *Titus*.

Of *Timotheus* the same father writeth thus; *Quæri meritò potest, quomodo Timotheum ad se vocet, cui ecclesiæ gentisque totius crediderat gubernacula?* *Chrysost. ad Tim. 2. hom. 10. in princip.*

It may worthily be demaunded, how hee calleth *Timothy* vnto him, to whom he had committed the gouernment of the Church and of the whole nation. Marke well these wordes, (*gentis totius*, of the whole nation;) and these wordes likewise, (*integram insulam*, the whole Iland;) and these wordes withall, (*Multorum episcoporum iudicium*, the iudgement of many Bishops.) For out of the said wordes it is cleerely and euidently deduced, that both *Timotheus* and *Titus* were Arch-bishops in Saint *Paules* time; the one hauing iurisdiction ouer all *Asia*, the other ouer all *Creta*, two great and large countries.

Illyricus a very famous late writer, and a most worthy defender of Christian truth, iumpeth with *S. Chrysostome* in his iudgement and opinion. These are his expresse words; *Illyricus in præfat. ad 1. ep. ad Tim.* *Harum autem tres priores scriptæ ad duos præstantes doctores plurimarumque ecclesiarum episcopos, Timotheum & Titum, potissimùm informant episcopum aut superintendentem, & per eum etiam totam ecclesiam ab ipso gubernandam ac instruendam.*

But

But the three former of these written to two excellent Doctors and Bishops of many churches. *Timotheus* and *Titus*, doe specially informe a Bishop or superintendent, and by him the whole Church also, which must be gouerned and instructed by him. Loe here, gentle Reader; *Timothie* and *Titus* were Arch bishops, that is to say, the Bishops of many Churches. I here let passe the wordes of *Theodoretus*, *Oecumenius*, and others, in regard of breuitie.

Cyprian libr. 4 epist. 8.

Saint *Cyprian*, that holy, learned, and auncient Father, who liued aboue one thousand and three hundred yeares agoe, was not only the Bishop of the famous citie of *Carthage*, but he had also the gouernment both of *Numidia* and of *Mauritania*, two goodly regions in *Affrica*. So doth *S. Cyprian* himselfe write of himselfe, and therefore the storie is of good credite.

Conc. Nicæ. can. 6. concil. 3. carthag. can. 28. conc Antioch. can. 9. Calvin. libr. 4 institut. cap. 4. sect 4 & 2 sect. notetur valde.

Many Councels, (of *Nice*, *Antioch*, *Carthage*, *Mileuitane*, *Chalcedon*, and others) make mention of Arch-bishops, Metropolitans, Primates, and Patriarches. It shall suffice in regard of breuitie, to relate onely maister *Calnius* testimonie of the famons Councel of *Nice*. These are maister *Caluins* expresse words, *Quod autem singulæ provinciæ vnum habebant inter episcopos archiepiscopum, quod item in Nicæna synodo constituti sunt patriarchæ qui essent ordine & dignitate archiepiscopis superiores; id ad disciplinæ conservationem pertinebat. Quanquam in hac disputatione præteriri non potest, quod rarissimi erat vsus. Ob hanc igitur causam potissimum instituti sunt illi gradus, vt si quid in ecclesia qualibet incideret, quod non posset bene a paucis expediri, ad synodum provincialem referretur. Si magnitudo aut difficultas causæ maiorē quoque discussionem postularet, adhibebantur patriarchæ vna cum synodis, a quibus non esset provocatio, nisi ad vniversale concilium. Gubernationem sic constitutam nonnulli Hierarchiam vocarūt nomine (vt mihi videtur) improprio, cerè scripturis inusitato. Cavere. n. voluit spiritus sanctus, ne quis principatum aut dominationem somniaret, quam de ecclesiæ gubernatione agitur. Verum si rem omisso vocabulo intuemur, reperiemus veteres episcopos non*

aliam

aliam regendæ ecclesiæ formam voluisse fingere, ab ea quam deus verbo suo præscripsit.

That euery prouince had an Arch-bishop among their Bishops, and that the Councell of *Nice* did appoint Patriarches, which should be in order and dignitie aboue Arch-bishops, it was done for the preseruation of discipline. Although in this discourse wee may not forget that it was a thing of very rare vse. For this cause therefore were those degrees especially appointed, that if any thing should happen in any particular church, which could not there be decided, the same might be referred to a general Synod. If the greatnesse or difficultie of the cause, required yet greater consultation; then were added Patriarches together with the Synodes, from whom there could be no appeale, but onely vnto a Generall Councell. This kinde of gouernment some called a Hierarchie, a name improper and not vsed in the Scriptures, as I thinke. For the holy Ghost would not haue vs to dreame of any dominion or rule, when question is made of Church gouernment. But omitting the name, if we consider the thing it selfe; we shall find, that these old Bishops would not frame any other kind of gouernment in the Church, then that which God prescribed in his word.

Thus writeth Maister *Caluin* of the antiquitie of degrees and superioritie, amongst the Ministers of the Church. Which whosoeuer shall ponder seriously, (all partialitie set apart, (together with the constitutions, testimonie, and approbation of the most sacred and renowned generall Councel of *Nice* (which Councel was euer to this day highly reuerenced throughout the Christian world;) that man doubtlesse, cannot but approoue and allowe our Bishops and Arch-bishops with their names and authorities, this day established in the godly setled gouernment of the Church of *England*. For first, Maister *Caluin* graunteth willingly, the truth it self plainly leading him thereunto,) that in the time of the famous Councell of *Nice*,

2 there were both Arch-bishops and *Patriarches*. Secondly, that ỹ patriarches were in order & dignitie aboue the Arch-bishops; and consequently, that there was euen then, (*viz.* aboue one thousand two hundred and fortie yeares agoe,) superioritie Episcopall, Archiepiscopall, and *Patriarchall*, among the ministers of the Church, one minister hauing iurisdiction ouer and vpon an other. More then which doubtlesse, our Bishops and Arch-bishops doe not this day challenge, in our Church of noble *England*. Thirdly, 3 that this superioritie and dignitie among Ministers, was ordained for the preseruation of discipline in the Church: and consequently, that as it was then godly, conuenient, and necessarie for the Church, so is it this day, in our 4 Church of *England*. Fourthly, that the kinde of gouernment by Arch-bishops and *Patriarches*, was agreeable to that forme of gouernment, which God prescribed in his word. This is a point of great moment, which may not bee forgotten. To which *I* also adde, (which the Reader must obserue seriously with mee,) that the Councell of *Nice* telleth vs plainely, that this superioritie of one Minister aboue and ouer an other, (which the Brownists cannot endure,) was not then first appointed, but had beene time out of minde by an auncient custome of the church, which the Councell confirmed and established by her decree. *But* how doe I proue it? doubtlesse, by the expresse wordes of the Councell.

Conc. Nicæ. can. 6. For the Councell in the sixt Cannon, hath these wordes; *Mos antiquus perduret*. Let the olde custome continue. And in the seuenth cannon, it hath these wordes; *Cap. 7.* *Quoniam mos antiquus obtinuit, & vetusta traditio*. Because an olde custome and auncient tradition hath preuailed, *&c.* Which olde custome had beene in the Church, euen from Saint *Marke* the Euangelist, and from Saint *Timothy* and Saint *Titus*, as is already prooued. And if any one will yet bee obstinate, and denie that this olde

custome,

cuſtome, whereof the holy, and auncient Councell ſpeaketh, beganne in the Apoſtles time; let that man or thoſe perſons which ſo ſhall ſay or affirme, name the time before the *Nicene* Councell, when Archbiſhops and Patriarches firſt beganne. And if any man can this performe, I promiſe to bee of his opinion. If otherwiſe, both reaſon and true humilitie would aduiſe that man and thoſe perſons, who ſhall ſo ſay or thinke; to yeelde all due obedience to their ſuperiours, and willingly to ſubſcribe vnto the truth. Which doubtleſſe they will doe, that heretofore haue refuſed to embrace the ceremonies of our *Engliſh* Church; if this Text of the Goſpell, bee not truly verified in them; (for they loued the praiſe of men, more then the praiſe of God.) But howe is this poſſible? I will vnfold the caſe, Gentle Reader; proteſting that I doe it of charitie, and for edification ſake. The truth I will plainly and ſincerely ſet downe, concealing the parties name; becauſe I loue the man, and haue regard vnto his credite. Talking with a *Preacher* of mine acquaintance, (a man otherwiſe both godly, learned, and of ſingular gifts,) concerning the cannons of *Anno.* 1604. and the kinde of gouernment of this our *Engliſh* Church, when hee ſeemed to mee, to haue nothing of moment to ſay againſt the ſame, hee anſwered mee thus: that hee would neither looſe his liuing, nor weare the ſurpleſſe nor yet make the ſigne of the croſſe in the childs forhead. And when I demaunded how that could bee; hee anſwered that hee would keepe one to doe it, but not doe it himſelfe. When I replied, that hee might as lawfully doe it himſelfe, as procure an other to doe it; hee vttered theſe wordes.

This can neuer be performed, while the world endureth

Iob. 12. *Verſ.* 43.

This ought to be well pondered.

How can I doe that, againſt which I haue ſo often preached. I proceeded, and told him as a friend; that his refuſall ſeemed to taſt of the ſpirit of the proude Phariſe; and not of

the humble Publican, &c. Well, I hope the partie wil be obediēt. But certes, I thought afore, that all their proceedings had been of meere conſcience, which now I perceiue to be of pride in a great many of them, through which manner of dealing (I wil not ſay hypocriſie) the ſimple ſort become diſobedient, and are deepely drowned in errour; and our Church pitifully turmoyled, with ſchiſmes & diſſention.

The godly, learned, and zealous Patron of pure religion, maiſter *Bucer*, deriueth the ſuperioritie of Arch-biſhops euen from the Apoſtles themſelues. Theſe are his expreſſe words; *Iam ex perpetua eccleſiarum obſeruatione, ab ipſis apoſtolis videmus, viſum & hoc eſſe ſpiritui ſancto, vt inter preſbyteros, quibus eccleſiarum procuratio potiſſimùm eſt commiſſa, vnus eccleſiarum & totius ſacri miniſterij curam gerat ſingularē, eaque cura & ſolicitudine cunctis præerat alijs. Qua de cauſa, epiſcopi nomen huiuſmodi ſummis eccleſiarum curatoribus eſt peculiariter attributum.*

Bucerus de regno chriſti, libr. 2, cap. 12 in initio.

Now we ſee by the perpetuall obſeruation of churches, euen from the Apoſtles themſelues, that it pleaſed the holy Ghoſt, that among the miniſters to whom eſpecially the gouernment of the church is committed, one ſhould haue the chiefe care, both of the churches and the whole ſacred miniſtery; & that he in that care and ſollicitued, ſhould be aboue al the reſt; for which cauſe, the name of Biſhop is peculiarly giuen to ſuch chiefe gouernours of churches. Thus writeth maiſter *Bucer*. Out of whoſe words I note firſt, that the ſuperioritie of Arch-biſhops and biſhops, proceedeth from the holy Ghoſt. Secondly, that this ſuperioritie was euer in the church, euē from the Apoſtles. The ſame author hath in ꝯ ſame Chap. much more matter to the ſame effect.

1
2

Legatur caput integrū.

The famous doctor & zealous chriſtian *Hieronymie Zanchius*, in the cōfeſſiō of his faith granteth freely, that there were Arch-biſhops, Metropolitans, and Patriarches, before the *Nicene* Councel. Theſe are his words: *Cum hanc cōſcriberem fidei confeſſionē omnia ex bona conſcientia ſcripſi; & ſicut credidi, ſic etiam liberè loquutus ſum, vt faciendū eſſe docent ſacræ literæ.*

Zanchius de relig. p. 170.

sera Fides aut̃ mea nititur cùm primis & simpliciter verbo Dei. Deinde nonnihil etiam communi totius veteris catholicæ Ecclesiæ consensu, si ille cum sacris literis non pugnet. Credo. n. quæ a piis patribus in nomine Domini congregatis, communi omnium consensu citra vllã sacrarũ literarum contradictionẽ, definita & recepta fuerunt: ea etiam (quanquã haud eiusdem cum sacris literis authoritatis) a spiritu sancto esse. Hinc fit, vt quæ sunt huiusmodi, ea ego improbare nec velim, nec audeã bona conscientia, quid autem certius ex Historijs, ex concilijs, & ex omnium patrum scriptis quàm illos ministrorũ ordines, de quibus dximus, communi totius reipublicæ christianæ consensu, in ecclesia constitutos receptosque fuisse? Quis autem ego sum, qui quod tota ecclesia approbavit, improbem? sed neque omnes nostri temporis docti viri improbare ausi sunt: quippe qui norunt & ticuisse hæc Ecclesiæ, & ex pietate atque ad optimos fines pro electorum ædificatione, ea omnia fuisse profecta & ordinata.

When I worte this Confession of my Faith, I wrote euery thing with a good conscience; and as I beleeued, so I also freely spoke, as holy writ teacheth me to doe. My beliefe is principally & simply, grounded vpon Gods word: then, some-what also vpon the cõmon consent of the auncient Catholique Church, so it doe not swarue from the holy Scriptures. For I beleeue, that such things as ỹ holy Fathers gathered together in Gods name, haue with common consent defined and receiued without any contradiction of the holy Scriptures: do proceed from the holy Ghost, though not of the same authoritie with the holy Scriptures. Hence comes it, that my selfe neither will, nor with safe conscience dare, reproue such kinde of decrees. But what is more cleare and euident, by Histories, by Councels, and by the writings of all the Fathers, then ỹ those orders of Ministers, (wherof we haue spoken:) haue bene appointed & receiued in the Church, euen with the common consent of the whole christian Common weale? And who am I, that I should reproue that, which the whole Church hath approued? yea, which all the learned men of our age, durst neuer reproue

Vide infra, cap. 10. ex Zuinglio & notato valde.

to this day? as who knew (right well) that both the Church might lawfully doe these things, & also that they proceeded of pietie, & that all things were ordained to very godly purposes, for edefication of Gods elect. Thus writeth this learned, godly, zealous, and iudicious *Father*: who for his rare learning, profound knowledge, pure zeale, & great iudgemēt, was inferior to none of his age in *Christs* Church, if not superiour to all. Out of whose words I obserue many more excellent & worthy documēts, for the help of the wel affec-
1 ted Reader. *First*, that this godly learned man was fully resolued to die in that *Faith*, which he heare speaketh of.
2 Secondly, that he published this his Confession of Faith, with a good conscience, constantly beleeuing as he wrote.
3 Thirdly, that his Faith was grounded vppon the word of
4 God. *Fourthly*, that the Decrees of the holy *Fathers* assembled in *Christes* name, defined by the common consent of all, and not repugnant to the Scriptures, were not sim-
5 ply the Decrees of men, but also of the holy Ghost. *Fiftly*, that the Degrees of Ministers, and superioritie of *Bishops* Arch-bishops, Primates, and Patriarches, were approued and receiued by vniforme and common consent, through-
6 out the whole Church of *Christ*. Sixtly, that this great learned man neither durst, nor could with good conscience
7 reproue the same. Seuenthly, that the Church had authoritie to appoint, constitute & ordaine, such degrees and
8 superiority amongst the Ministers of the Church. Eightly, that such constitutiōs proceeded of pietie, & were ordeined for edificatiō of the Church. To the testimony of this graue writer, I deeme it worth the labour, to adde that which the same Doctor hath in another place. These are his words:

Zanch. de relig. pag. 250. Vide infra, cap. 7. & notato.

Hoc ego ingenuè denuò profiteor, talem esse meam conscientiam, vt a veterū patrum sive dogmatibus, sive scripturarum interpretationibus, non facilè, nisi vel manifestis sacrarum literarum testimonijs, vel necessarijs consequentijs, apertisque demonstrationibus convictus atque coactus, discedere queam. Sic enim acquiescit mea conscientia, & in hac mentis quiete cupio etiā mori.

I againe

I againe professe freely my conscience to be such, that *I* can not easily depart, either from the Doctrines of the auncient *Fathers*, or from their interpretations of the holy Scriptures: vnlesse *I* bee conuicted and compelled thereunto, either with the manifest testimonies of holy Writ, or with necessarie consequences and manifest demonstrations. *For* so my conscience is at rest, and in this quiet of minde *I* desire to die. Out of which wordes, *I* note two things, both memorable and of great importance: wishing the gentle Reader, to marke them attentiuely. *First*, that the auncient *Fathers* haue decreed according to the holy Scriptures, superioritie, among Ministers in the Church, and the degrees of *Bishops*, Arch-bishops, Primates, Metropolitans, Suffragans, and Patriarches. Secondly, that this learned *Doctor* thinketh himselfe bound in conscience, to acknowledge, receiue, and obey such decrees and constitutions of the holy *Fathers*: and therefore earnestly desireth to ende his life in that beliefe. 1 2

Nicolaus Hemingius affirmeth constantly, that the pure church which followed the Apostles-time, ordeyned diuers degrees of Ministers for the peaceable Regiment of the Church: as Metropolitans, Arch-bishops, & Patriarches. *Hemingius in Enchiridio. Pag.* 368.

The 1. Obiection.

Ye know that the Lords of the Gentiles haue domination ouer them, and they that are great, exercise authoritie ouer them. *But* it shall not be so among you: but whosoeuer will be great among you, let him be your seruant. *Matth.* 20. *V.* 25.

The Answere.

I answere, that these wordes of our Sauiour *Christ*, doe only condemne ambitious desire of rule and the tyrannicall vsage thereof: but not simply all superioritie, and lawfull authoritie of one aboue an other. *I* proue it first, because *Christ* saith not, the Lords of the *Iewes*, but the Lords of the *Gentiles* beare rule ouer them. As if hee had said: you may not haue that tyrannicall kind of gouernment, which 1

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the gentiles vſed; nor ſuch ambitious deſire and ſiniſter affection of rule, as was found among them. And therefore is it ſignificantly ſaid, (it ſhall not be ſo,) He ſaith not, it ſhall not be at all, but it ſhall not be ſo, as it was among the Gentiles. Secondly, becauſe it is the frequent cuſtome of the holy Scriptures, to forbid things ſimply without exception: when it doth in deedes and true meaning prohibite onely the abuſe and the inordinate deſire and vſage of the ſame. Call no man your father vppon earth, (ſaith *Chriſt*, for there is but one your Father, which is in heauen. Be not called *Doctors*: for one is your Doctor, euen *Chriſt*. But he that is the greateſt among you, let him be your ſeruant. So *Chriſt* forbiddeth to bee carefull for to morrowe, to bee carefull for our life, for rayment, for meate, and for drinke. And yet in true ſenſe and meaning of holy writ the moderate and honeſt care of ſuch things is not forbidden, but onely the inordinate and diſtruſtfull deſire and care thereof. Nay, nay, the Scripture willeth the ſluggarde to learne of the Piſmire, who hauing no guide, gouernour nor ruler, prepareth her meate in the Summer, and gathereth her foode in harueſt. And the Apoſtle giueth commandement, that if any will not worke, the ſame muſt not eate. Thirdly, becauſe both olde and late writers of best account, doe expound this text of S. *Matthew*, againſt inordinate and ambitious deſire of ruling. S. *Chryſoſtome* the golden mouthed Doctor, for his great learning and eloquence ſo ſurnamed, hath theſe wordes: *Ita gentium mos eſſe oſtendit, prima quaque appetere, tyrannica enim hac paſſio & nonnunquam eximios etiam viros perturbat, qnapropter cum vehementiore caſtigatione indigent, acrius etiam ipſe inſurgit comparatione gentium, agrotantem ipſorum animum retinens. Ita horum quidem inuidiã, illorum verò arrogantiã ſuccidit, quæ magna voce dicens: nolite tanquam contempti commoueri: nam qui primatum quærunt, ſibijpſis dedecori ſunt, ignorantes hoc paſto in infirma detrudere.*

Mat. 23. *v.* 9. 10. 11. *Mat* 6. *v.* 25. 28. 31. *Prou.* 6. *v.* 6. 7. 8. 2. *Theſſ. cap.* 3. 10. *Chryſoſt. in* 20. *Chap. Mat pag.* 549.

Thus he ſheweth it to be the manner of the Gentiles

to desire superiority. For this is a tyrannical passion, & doth often trouble excellent men. Wherefore seeing they haue need of vehement castigation, he doth sharpely reproue thē: so bridling their sickly minde, by comparing thē to the Gentiles. And by this meanes he taketh away enuie from the one sort, and arrogant pride from the other: as if hee should cry with a loude voyce, be not troubled (with passions of pride,) as contemptible persons. For they that seeke Primacie, doe dishonour themselues: not knowing, that by this meanes they doe abase themselues.

Theophilactus hath the same sense and interpretation, which he vttereth almost in the very same wordes. Many other writers expound this text in the selfe same manner, neither can any one auncient father be alledged to the contrary sense and meaning. *Theophil. in 20. cap. mat.*

Fourthly, because the originall worde *Catacurieuèin*, doth plainly insinuate so much vnto vs. *Aretius* a very learned writer, & a great patron of pure Religion, hath these words: *Catacurieuèin. Est dominari cum aliena tyrannide*: Catexousiazein, *in potestate violentèr tenere*. The one Greek word is to beare rule tyrannically: so is the other Greeke word, to haue violent power ouer men. *Erasmus*, *Muscu-lus*, and many other learned writers, are of the same opinion. 4 *Aretius in 20. cap. mat.*

Musculus hath these expresse wordes: *Non est autem putandum, quod omninò prohibeat, ne quis vocetur inter Christianos pater aut Magister, aut Dominus; vt illicitum sit liberis, eum vndè sunt geniti, vocare patrem: aut discipulis eum a quo instituuntur appellare Magistri aut præceptoris vocabulo: vel servis, heros suos appellitare Dominos: cum & sacra Scriptura iubeat, vt filij honorent patres suos, & Apostolus admoneat servos, vt dominis suis obediant: & dominos vt æqui sint erga servos: & cum audisset in carcere a custode carceris vocari dominos se & Silam, non prohibuerit: verum ita vocari patrem & magistrum, vt vocabantur Scribæ & Pharisæi, prohibetur hoc loco. Primùm, illi amabant vocari Rabbi: ergo* *Musculus in cap. 23. Matth.*

affectus horum cognominum vetatur. Deinde, ita vocari rabbi volebant, vt ab ipsis prorsus penderet populus domini, nec vlla in re placitis ipsorum repugnaret: at hoc pacto vocari patrem & magistrum, nemini mortalium competit. Est enim vnus verus pater tantùm deus, & vnus verus magister Christus, a cuius debemus pendere præceptis, vt non liceat nobis in alterius cuiuspiam iurare verba magistri. Sequitur; hoc satis indicat, quomodo prohibuerit suos vocari rabbi & magistros; VIZ. *vt dixi, contra primatus ambitum, dominandiq; libidinem ista sunt dicta. Alioqui dixisset; nemo inter vos sit reliquis maior. Iam verò vbi dicit qui maximus est vestrum, erit vester minister, ostendit se non ita dixisse, vos omnes fratres estis, quòd per omnia voluerit suos esse inter se æquales; sed vt ij qui reliquos ex donis dei excellebant, ad omnium ministerium sese demitterent.*

We may not thinke, that Christ doth altogether forbid, that no christian shall be called father, or maister, or Lord; as if it were vnlawfull for children to call him father, that did beget them; or for Schollers to call him Maister, who teacheth them; or for Seruants to call their Maisters Lords; seeing the holy Scripture commaundeth children to honour their Parents, and the Apostle also willeth Seruants to obey their Maisters, and when hee heard the keeper of the Prison call him, and *Silas* Maisters he did not rebuke him for the same; but so to bee called *Father* and Maister, as the *Scribes* and *Pharises* were called, hee vtterly forbiddeth in this place. *First*, they greatly desired to bee called *Rabbi*, and therefore the affection of such names is forbidden, Againe, they wished so to be called *Rabbi*, that GODS people should wholy depend vpon them, and in no respect denie or withstand their ordinances and Decrees. *But* to bee called *Father* or Maister in this sort and manner, agreeth to no mortall man.'

For there is one onely true *Father*, which is GOD himselfe;

himſelfe, and one onely true Maiſter, which is Chriſt, vpon whoſe commaundements wee muſt ſo depend, that wee may in no caſe ſweare to the wordes of any other man. Heere wee are ſufficiently taught, in what ſenſe Chriſt for bad his Diſciples to bee called *Rabbi*, and *Maiſters, viz.* As I ſaide, againſt the ambition of Primacie, and deſire to rule, are theſe things ſpoken, (and not ſimply againſt Rule, Dominion, or Superioritie.) For otherwiſe, hee would haue ſaide; let none amongſt you, bee greater then the reſt. But nowe, when hee ſaith, hee that is the greateſt of you, ſhall bee your Seruant, hee ſheweth himſelfe not to haue ſaide, yee are all brethren, for that hee woulde haue them in all things to bee equall among themſelues, but that they who excelled others in the gifts of GOD, might humble themſelues to the ſeruice of others. Thus writeth this great learned Father, out of whoſe golden wordes, wee may gather euidently ſundry neceſſarie documents, for a reſolute and full aunſwere to the precedent obiection. For firſt, hee affirmeth conſtantly, that Chriſt doth not ſimply prohibite Chriſtians to bee called *Rabbies* or Maiſters, but ſo as the *Scribes* and *Phariſes* deſired to bee called Maiſters. Secondly, hee telleth vs, that *Paul* and *Silas* were well pleaſed to bee called Maiſters. Thirdly, hee auoucheth roundly, that CHRIST did not forbid Dominion, Rule, and Superioritie, but onely ambition and greedie deſire of bearing rule ouer others. Which his opinion, hee prooveth to bee grounded vpon Chriſts owne wordes. And doubtleſſe, it is to bee admired, that any Learned man will holde the contrarie opinion. *See Peter Martyrs* opinion, and note it well. His expreſſe wordes ſhall bee ſet downe, when I come to ſpeake of the church-diſcipline.

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Infra cap. 12. *ſect.* 4. *ex Petro Martyr.*

The Reply.

Maiſter *Calvin* and many other learned writers, alleage this Text againſt that ſuperioritie, which the late *Biſhops of Rome* doe challenge ouer other Miniſters of the Church: which doubtleſſe they could never truely doe, if one *Biſhop* or Miniſter may be ſuperiour to an other.

The Anſwere.

I anſwere, that M. *Calvin*, and other learned men, doe truely alledge this Scripture, againſt the falſly challenged Primacie of the proude & arrogant *Biſhop of Rome*. And yet for all that, it doth not prohibite the moderate and lawfull ſuperioritie of one Miniſter ouer another: which is both neceſſarie for the peaceable managing of the Church, and hath euer beene vſed in the Church, as it is already prooved. For the Biſhop of *Romes* ſuperioritie, is ſo farre from being moderate and lawfull: that it may truely be termed tyrannicall, and plaine diabolical. *Becauſe* (as I haue proved at large in other diſcourſes,) hee taketh vpon him to depoſe kings, to tranſlate kingdomes, and in moſt brutiſh and ſauage manner, to tyrannize ouer mens ſoules and conſciences, *Idque iure divino*, as hee beareth the world in hand.

The 2. Obiection.

The names of Arch-biſhops, Primates, and Patriarches, are proud names, diſholy, prophane, and not to bee found in the holy Scriptures.

The Anſwere.

I anſwere: Firſt, that though the names be not expreſſed in holy writ, yet is the thing it ſelfe ſufficiently conteined in the ſame, as is already proved.

Secondly,

Secondly, that the very names are ſo farre from being prophane and diſholy; that the moſt zealous *Patrons* of the *Presbitery*, doe allowe and approue the ſame for lawfull and holy, and to haue beene ordained of the holy *Fathers* for a godly end and purpoſe. Maiſter *Caluins* opinion is alreadie ſet downe, in this preſent chapter. Yet for better ſatisfaction of the Reader, let him heare what the ſame authour ſaith in an other place. Theſe are his wordes; *Quod duodecim vnum habuerint inter ſe qui omnes regeret, nihil mirum. Hoc. n. fert natura, hoc hominum ingenium poſtulat, vt in quouis cœtu etiamſi æquales ſint omnes poteſtate, vnus tamen ſit veluti moderator, in quem alij reſpiciant. Nulla eſt curia ſine conſule, nullus conſeſſus iudicum ſine Prætore ſeu quæſitore, collegium nullum ſine Præfecto, nulla ſine magiſtro ſocietas.* *Caluin. libr. 4 inſtit. cap. 6 ſect. 8.*

That the twelue Apoſtles had one among them to gouerne the reſt, it was no maruell. For nature requireth it, and the diſpoſitiō of men will ſo haue it, that in euery company, though they be all equall in power, there be one as gouernour, by whom the reſt may be directed. There is no Court without a Conſull, no Senate without a *Pretor*, no *Colledge* without a Preſidēt, no ſocietie without a maiſter. Now it is euident, that neither Biſhops nor Arch-biſhops in our church of *England*, haue greater authoritie, then maiſter *Caluin* ſpeaketh of in this place. For to ſay nothing of the dignitie of *Conſuls* and *Pretors*, which was very great among the Romans; the maiſter of a *Colledge*, (as euery *Scholler* of *Cambridge* and *Oxford* can tell,) hath a perpetuall office; hee is chiefe gouernour of that ſocietie, and all the members thereof owe obedience vnto him, as to their head; he hath authoritie to puniſh, and to ſee lawes executed within his *Colledge*, as Biſhops, and Arch-biſhops haue in their dioceſes & prouinces. And moſt certaine it is, that no Arch-biſhop in *England* hath that authoritie in his prouince, which the *Conſul* had in *Rome*.

Maiſter *Beza* confeſſeth, that antiquitie vſed the names of Biſhops and Arch-biſhops, and willingly admitteth of them *Beza in confeſſ. cap. 7. Pag. 257.*

them as holy names. These are his expresse wordes; *Nam quod pastores temporis progressu distincti sunt in metropolitas, episcopos, & quos nunc vocant curatos id est, singulis paræcijs præfectos, id minime factum est respectu ministerij verbi; sed potius habita ecclesiasticæ iurisdictionis ac disciplinæ ratione. Itaque quod attinet ad verbi prædicandi munus, & sacramentorum administrationē, nullum est inter archiepiscopos, episcopos, & curatos discrimen. Omnes.n. tenentur suos greges eodē cibo pascere. ideoque communi nomine pastores & episcopi in scripturis passim vocantur. Quæ verò istorum impudentia est sacra nomina vsurpare, & propter ea apostolorum & verorum episcoporum successionem iactare?*

For that in processe of time, pastors were distinguished into *Metropolitans*, (or Arch-bishops,) *Bishops*, and Curates; it was not done in respect of the Ministerie of the word, but in regard of ecclesiasticall iurisdiction and discipline. Therefore touching the office of Preaching and Ministration of the sacraments, there is no difference betwixt Arch-bishops, *Bishops*, and Curates. For they all are bound to feede their flockes with the same meate, and therfore are they called in the Scriptures by the common name of Pastors and *Bishops*. *But* how impudent are these men, which vnder colour of these holy names, glory in the succession of the Apostles and true Bishops? thus writeth master *Beza*, iumping, (as euery childe may see,) with that doctrine which I now defend. Yea, the same *Beza* affirmeth these degrees and names, to haue beene appointed by the auncient Church vpon a very good zeale. These are his wordes in an other place; *Neque verò nos ignoramus, quam multa sint a veteribus constituta, de episcoporum, metropolitarū, & Patriarcharum sedibus, idque optimo zelo, & definitis cuiusque limitibus, certaque attributa authoritate.* Neither are wee ignorant, how many cōstitutions the old fathers haue made concerning the seates of *Bishops*, Metropolitans, and Patriarches; and that vpon a very godly zeale, assigning to euery one his boundes and authoritie. Thus the Reader seeeth, how

Beza in confess. cap. 5. Art. 29.

how *Caluin*, *Beza*, *Bucer*, *Zanchius*, and *Hemingius*, doe hold the same opinion, which I now defend.

The Reply.

The *Bishops*, Arch-bishops, Patriarches, and such like, of which *Beza*, *Caluin*, the Councell of *Nice*, and other councels make mention, were not such as our Bishops in *England*, Prelates of the Garter, high Commissioners, Iustices of Peace, and Quorum.

The Answere.

I answere, First, that the same superioritie of one minister ouer an other, was then in the olde Arch-bishops, Patriarches, and such like, which is this day in ours here in this land, yea, greater by one degree at the least, because *England* neuer had a Patriarch in it. 1

Secondly, that Arch-bishops, Primates, and Metropolitans, (which are all one in effect) had then the same iurisdiction in other countries, which our bishops haue this day in *England*. That is to say, a superiour charge and sollicitude, of all Churches within their prouinces. 2 *See Hemingius in enchirid. Pag. 368 & p. 372. & p. 373. & infra. cap. 10. verba eius habentur.*

Which thing, (though it be alreadie prooued sufficiently to all well affected Readers,) may yet bee further confirmed, with such a plaine and manifest testimony of the auncient Councell of *Antioch*, (which was holden aboue a thousand and two hundred yeares agoe, as euery child may behold the truth thereof. These are the wordes, *Per singulas regiones episcopos conuenit nosse, Metropolitanum episcopum sollicitudinem totius prouincia gerere. Propter quod ad metropolim omnes vndique, qui negotia videntur habere, concurrant. Vnde placuit eum & honore præcellere, & nihil amplius præter eum cæteros episcopos agere, secundum antiquam a patribus nostris regulam constitutam, nisi ea tantùm quæ ad suam diœcesim pertinent possessionesque.* It is meete that the Bishops of euery countrie doe know, that the Metropolitan hath the charge of the whole prouince. For which respect, al the Bishops round about him, which haue any busines, must haue recourse vnto ỹ citie, (wher ỹ Arch-bishop or metropolitan doth *conc. Antioch. can. 9*

doth reſide.) Wherefore we haue decreed, according to the auncient Law of our *Fathers*, both that he ſhal excel in honour, and alſo that all the other *Biſhops* ſhall doe nothing at all without him, ſauing thoſe things onely, which appertaine to their owne dioceſſe and poſſeſſions. Thus decreeeth this auncient and famous *Councell*, out of which doctrine, I obſerue theſe worthy leſſons. First, that an Archbiſhop or Metropolitan had in old time, the charge of the whole prouince. And conſequently, that our Arch-biſhops and Metropolitans in the *Engliſh* church, haue no new Miniſterie, nor other authoritie; then was had and practiſed by the holy *Fathers* in auncient time, euen in the primitiue church. Secondly, that this authoritie of an Arch-biſhop to rule a whole prouince, was not firſt conſtituted by this *Councel*, (though it were of very great antiquitie,) but was receiued by an auncient rule from their forefathers. Thirdly, that all the Biſhops of the prouince, muſt bee directed by the Metropolitan or Arch-biſhop. Fourthly that the other *Biſhops* could doe nothing, without the authoritie of the Arch-biſhop; ſuch things onely excepted, as pertained to their owne dioceſſe and poſſeſſions. Let thus much be graunted to our *Biſhops*, (which good reaſon will affoord them,) and they will deſire no more. But, becauſe the teſtimonie of the beſt Patrons of the presbyterie, cannot but prevaile much in this controuerſie, let vs heare the verdicts, of the chiefeſt Doctors herein. Maiſter *Caluins* teſtimonie is already knowne, touching the authoritie of Arch-biſhops in forrein countries, but I wil alledge and ſet before the Readers eyes, his plaine teſtimonie for our *Biſhops* heere in *England*. Theſe are his owne wordes, in his Epiſtle to Arch-biſhop *Cranmer*. *Calvinus Cranmero Archiepiſcopo Cantuarienſi, S. D. ſequitur; ſũma eſt in te authoritas, quam non magis tibi honoris amplitudo conciliat, quàm concepta pridèm de tua prudentia & integritate opinio.* *Caluin* to *Cranmere* the Arch-biſhop of *Canterburie*, ſendeth ſalutations. The ſupreame and higheſt authoritie reſteth in your ſelfe,

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Caluin. epiſt. 127.

selfe, which your great honour did not more procure, then the opinion lately conceiued of your prudence and integritie. The same *Caluin* in his Epistle to Doctor *Grindall* the Bishop of *London*, hath these wordes; *Quod tamen curam popularium nostrorum qui in præcipua episcopatus tui vrbe habitant, suscipere dignatus es, non solùm vt libertas illis daretur reginæ beneficio dei purè invocandi, sed vt pastorem fidum hinc accerserent, nisi hac de causa me tibi obstrictum faterer, stultitiæ & inhumanitatis essem damnandus.* Yet that you haue vouchsafed to take care of our vulgar country-men, which reside in the chiefe citie of your bishopricke, not onely that by the Queenes fauour they might haue freedome to serue God aright, but that also they might call from hence a faithfull pastor; if I should not confesse my selfe bound vnto you herein, I might iustly bee condemned both of follie, and of nhumanitie.

Out of these wordes, I obserue these corollaries. Frst, that heecalleth the Bishop of *Canterburie*, Arch-bishop; and consequently, that hee did not thinke the name, to bee either antichristian, or vnlawfull. Secondly, that hee did acknowledge the chiefest authoritie, to be in the Arch-bishop; and consequently, superioritie to be among our ministers. Thirdly, that he granted one man to haue the charg of many *C*hurches; that is, the Bishop of *London*. For hee saith, (in the chiefe citie of our Bishopricke.) and that it may appeare yet more euidently, that he graunteth the charge of a whole prouince to one onely Arch-bishop; *I* will alledge some part of that his Epistle, which he addressed to the Potent and mightie king of *Polonia*. Thus doth he write; *Quẽ admodum si hodie illustrissimo Poloniæ regno vnus præesset Archiepiscopus, non qui dominaretur in reliquos, vel ius ab illis ereptum sibi arrogaret; sed qui ordinis causa in synodis primum teneret locum, & sanctã inter collegas suos & fratres vnitatem foueret.* Euen as if this day one Arch-bishop should be the president of the most honourable Kingdome of *Polonia*; not as one that should haue dominion ouer the rest,

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Caluin. ad seren. regem Poloniæ, epist. 190.

or ſhould challenge to himſelf the right taken from others; but as one who for order ſake, ſhould haue the chiefe place in ſynodes, and ſhould preſerue holy vnitie, among his fellowes and brethren. Theſe are the words of this great learned man, who was the greateſt and chiefeſt patrone of their presbiterie, & the firſt man in the world that ſet it abroach, and brought it into the *Church*. And yet doth he graunt plainly, as much as our Biſhops will require. For hee graunteth, (as wee ſee,) that one Arch-biſhop may haue a ſuperioritie, ouer all other *Biſhops* in the large kingdome of *Polonia*. The exception that he maketh, I willingly admit, and ſo will all our Biſhops likewiſe doe. As who neither doe nor euer did, once make or giue the leaſt ſigne of any ſuch ſuperioritie, ouer their fellowes and louing brethren. No, no, no ſuch thing can truly be imputed to them. For with vs euery miniſter in his Pariſh, and euery Biſhop in his Dioceſſe; hath the charge of their owne flockes and Pariſhes, to *Preach* the word, and to adminiſter the *Sacraments* vnto them, in as ample and large manner, as Maiſter *Caluin* heere requireth. Which his wordes immediately afore-going doe declare, beeing theſe. *Vetus quidem eccleſia patriarchas inſtituit, & ſingulis etiam prouincijs quoſdam attribuit primatus, vt hoc concordiæ vinculo melius inter ſe deuincti manerent epiſcopi.* The anciēt Church did conſtitute Patriarches, and aſſigned for euery prouince one primate; that by this bond of concord, the *Biſhops* might be more firmely vnited among themſelues. Like as if one Arch-biſhop ſhould be the chiefetaine, of the whole Kingdome of *Polonia*; and ſo foorth as is alreadie ſaide. Where wee ſee, or may ſee, if wee will; that Maiſter *Caluin* acknowledgeth the ſame ſuperioritie, both in the auncient times of the Church, and more lately in the Arch-biſhop of *Polonia*, which is this day giuen and allotted to the Arch-biſhop of *Canterburie*, ouer the other *Biſhops* and Miniſters in *England*. Now, for aunſwere to the o-

Caluin. vbi ſupra. epiſt. 190.

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ther part of the obiection, touching high Commiſſioners, Iuſtices of Peace and Quorum, I haue reſerued the next Chapter.

CHAP. VI.

Of ciuill offices, in Eccleſiaſticall perſons.

THe authoritie in ciuill matters committed to the miniſters of the Church, is not made a thing intrinſically incidēt to the miniſterie, or as a part thereof, but it is cōmitted to them by the *Prince*, (whom his ſubiects are not to limit what perſons he ſhall vſe in counſell, or to whom hee ſhall commit the execution of his lawes,) and it is added to their miniſterie, as profitable and neceſſarie for the preſent ſtate and good of the Church. Which good to bee procured by that meanes, rather then by any other imployment beſides; it may appeare both by experience, and practiſe. *By* experience, for that wee ſee thoſe Kingdomes, Princes, and people, moſt bleſſed of God, where learned and godly Biſhops haue beene receiued into the *Princes Counſell*. By practiſe, becauſe I haue both heard and read, that maiſter *Caluin* and maiſter *Beza* were admitted to be Counſellours of the ſeate at *Geneua*, being thought fit men for that place. Who doubtleſſe would neuer haue yeelded thereunto, if they had thought it a thing either vnlawfull in it ſelfe, or incompatible to their function. No, no, it is neither vngodly, nor yet vnſeemely, for a Miniſter to come from the *Pulpit*, to the correction of vice, ſinne, and wickedneſſe. *But* contrariwiſe, it is ſo godly, ſo comely, and ſo neceſſarie: that it euer hath beene vſuall, both in the Lawe of nature, in the Lawe of *Moſes*, and in the Lawe of grace:

Ciuil offices are not intrinſecally incident to the miniſtery. Vide infra, cap. 11. ex. Muſculo, propè finem cap. & nota valdè.

1 *In lege naturæ.* *Gen.14.* *Hebr.7.* *Hier.in trad. Hebr.in Genes.tom.4. Fol 95.*

for First, in the lawe of nature, *Melchisedech* was both King and Priest. So reporteth holy *Moses* in his booke of *Genèsis*, and Saint *Paul* to the *Hebrewes*. And Saint *Hierome* telleth vs, that all the eldest sonnes of the holy Patriarches, were both Kings and Priests. *Aiunt hunc esse Sem filium Noe, & supputantes annos vitæ ipsius, ostendunt eum ad* Isaac *vsque vixisse, omnesque primogenitos Noe, donec sacerdotio fungeretur Aaron, fuisse pontifices.*

The *Hebrewes* (saith Saint *Hierome*,) affirme this (*Melchisadech*) to bee *Sem* the sonne of *Noah*, and reckoning the yeeres of his life, they shewe vs that he liued vntill *Isaac*: and that all the first begotten of *Noah*, vntill *Aarons* Priest-hood began, were Bishops. Yea, whosoeuer will denie, that *Noah*, *Abraham*, *Isaac*, *Iacob*, and others, did rule ouer those who were committed to their charge, as wel in ecclesiasticall as ciuill causes, they may truly be said to knowe nothing in the scriptures.

In lege Mosis.

2 *Exod.18.13.* *Exod.32.* *Vers.27.* *Lenit.8.* *Exod.40.* *1.Sam.2.* *Vers.11. & Cap.4 18.* *1.Sam.8.* *Act. 13.21.* *2.Paral.19. Vers.10.*

Secondly, in the Lawe of *Moses*, *Moses* himselfe was both the ciuill Magistrate and a Priest. For *Moses* iudged the people from morning vnto euen. Hee put the Malefactors to death, who had committed Idolatry. Hee consecrated *Aaron* and his sonnes, and burnt sweet incense on the golden Altar.

Heli was both the high Priest, and iudge of the people, for the space of 40 yeares together.

Samuel likewise was both a Priest and iudge ouer the people, for the space of 30. yeares together. The good king *Iosaphat* made the Priests iudges, both in ecclesiastical and ciuil causes. And after the captiuitie of the *Iewes*, the *Machabees*, were rulers, aswel in ciuil as in ecclesiastical causes. Read the bookes of the *Machabees*, *Iosephus*, & *Egesippus*, and this truth will soone appeare. But what neede many words, in a case so cleere and euident? God himselfe made a generall law, that the priests & the ciuil magistrate shuld iontly determine, iudge and decide, all controuersies. These are

the

the expresse wordes of the Law; if there rise a matter too hard for thee in iudgement, betweene boold and blood, betweene plea and plea, betweene plague and plague, in the matters of controuersie within thy gates: then shalt thou arise, and goe vnto the place, which the Lord thy God shall chuse. And thou shalt come to the Priestes of the Levites, & to the iudge that shall be in those dayes, and aske, and they shall shewe thee the sentence of iudgement. These wordes are so plaine, as all interpretation may be thought needlesse. *Deut.* 17. *v.* 8, 9.

3

Thirdly, in the Gospell, and newe Testament, wee haue a pluralitie of examples in this behalfe. S. *Paul*, when he made his abode at *Corinthus*, with *Aquila*, and *Prescilla*, whom *Claudius* the Emperour had driuen from *Rome*: he wrought with his hands, being of the same craft with them, and made tents as they did. *In lege gratiæ.* Acts 18. *v.* 2. 3.

S. *Augustine*, thought it a thing so lawfull, for a *Bishop* to be iudge in causes Ecclesiasticall; that I wonder, how any man hearing or reading his owne words, can any longer stand in doubt thereof. Thus doth he write: *Quis plantat vineam, & de fructu eius non edit? Quis pascit gregem, & de lacte gregis non percipit? Tamen Dominum* Iesum, *in cuius nomine securus hæc dico, testem invoco super animam meam, quoniam quantum attinet ad meum cõmodum multo mallem per singulos dies certis horis, quantum in bene moderatis monasterijs constitutum est aliquid manibus operari, & cæteras horas habere ad legendũ & orandum, aut aliquid de divinis litteris agendum liberas; quam tumultuosissimas perplexitates causar ũ alienarum patide negotijs secularibus, vel iudicando dirimendis, vel interveniendo præcidendis; quibus nos molestijs idem affixit* Apostolus, *non vtique suo, sed eius qui in eo loquebatur arbitrio, quam tamen ipsum perpessum fuisse non legimus.* Aliter. *n. se habebat apostolatus eius discursus. Sequitur: quem tamen laborem non sine consolatione domini suscipimus prospe vitæ æternæ, vt fructum feramus cum tolerantia. Servi n sumus eius Ecclesiæ, & maxime infirmioribus membris, quanta libet in eodem corpore membra* August. *de opere mon. cap.* 29. *tom.* 1. *Cor.* 9. *v.* 7.

sumus. Omitto alias innumerabiles ecclesiasticas curas, quas fortasse nemo credit, nisi qui expertus est. Non ergo alligamus onera gravia, & humeris vestris imponimus, quæ nos digito non attingimus: quandoquidem si officil nostri sana ratione possemus, videt ille qui probat corda nostra, mallemus hæc agere, quæ vt agatis hortamur, quàm ea quæ non agere cogimur.

Who planteth a vineyard, and eateth not of the fruite thereof? who feedeth a flocke, and receiueth not of the milke of the flocke? Yet I call the Lord *Iesus* to witnesse vpon my soule, in whose name I boldly vtter these words: that touching mine owne commoditie, *I* had much rather euery day to worke some thing with mine hands, as it is appointed in well gouerned Monasteries, and to haue the houres free, to read, and to pray, and to doe some exercise in the holy Scriptures: then to suffer the tumultuous perplexities of other mens causes touching secular affaires, either in determining thē by iudging, or in cutting thē off by intreating: to which molestations the Apostle hath tyed vs, not by his own iudgemēt, but by his iudgement who spake in him; which troubles for al that himself did not vndergoe, because his course apostolicall had an other respect. Which labour notwithstanding we endure with consolation in the Lord, for the hope of eternall life, that we may bring forth fruit with patience, for we are seruants of the Church, and especially to the weaker members, how mean members so euer we are in the same bodie. I let passe innumerable other Ecclesiasticall cares, which perhaps none will beleeue, but he that hath tryed the same. We therfore doe not binde grieuous burdens together, and impose them on your shoulders, which we doe not touch with our finger: seeing we had rather do those things which we exhort you to do, then which we our selues are compelled to doe; if we could so doe with the discharge of our dutie, as knoweth God the searcher of our hearts. Thus discourseth this holy, auncient, and most learned Father. Out of whose doctrine, I obserue many golden, worthy, and very necessarie documents,

ments, for the inſtruction of all indifferent Readers. *Firſt*, 1
that he delt much in ſecular cauſes and affaires of the world.
Secondly, that he had rather haue wrought with his hands, 2
and haue done much bodily labour in the monaſterie; then
to haue beene ſo toſſed and turmoyled, in hearing and de-
termining ciuill cauſes of his people. Thirdly, that he v- 3
ſed ſometimes to ende matters by way of intreatie, as a
friend: and ſometime by abſolute authoritie, as a Iudge.
Let this point be well marked, becauſe it is of great mo-
ment. *Fourthly*, that the Apoſtle had bound him ſo to 4
deale in ſecular affaires. Fiftly, that the Apoſtle did not 5
impoſe that ſecular charge vpon him, by his owne iudge-
ment and authoritie: but by the counſell and iudgement
of God himſelfe, who ſpake in him. Which charge he pro-
ueth out of the Apoſtles doctrine, in the place and chap-
ter quoted in my Margent. Sixtly, that S. *Auſtin* did vn- 6
dergoe the moleſtations of ſecular buſineſſe, becauſe hee
hoped thereby to attaine eternall life. Seuenthly, that hee 7
could not doe his bounden dutie, vnleſſe hee were ſome-
times occupied in deciding ciuill cauſes. So farre was this
holy *Father* from their opinion, who more raſhly then
wiſely, affirme it a damnable thing, and an Antichriſtian
marke, for a *Biſhop* to be a Iuſtice of *Peace*, or of *Quorum*:
and yet cannot any learned writer be named, for the ſpace
of a thouſand and two hundred yeares, who reputed not
S. *Auſtin* for a very holy man, and a moſt graue & learned
writer. Let all ſuch perſons therefore conſider better of the
matter, and either wilfully condemne that holy Father,
and mighty pillar of Chriſtes Church; or elſe let them
henceforth be more ſparing of ſuch ſauage loquacitie, and
approue the Chriſtian and laudable offices of *Iuſtice of*
Peace and *Quorum*, in the reuerend *Fathers*, the Lord *Bi-*
ſhops of the Engliſh Church. For Saint *Auſtin* was both a
Lord-biſhop, and as it were a *Iuſtice of Peace*, as is appa-
rant by that which is already ſaid, ſince the beginning of
this diſcourſe.

The

The same Saint *Augustine* in the presence of *Religianus* and *Martinianus*, his fellow bishops, and *Saturninus*, *Leporius*, *Barnabas*, *Fortunatianus*, *Ruricius*, *Lazarus*, and *Eradius* Priests, declaring to the people what paines hee had taken many yeares for them, being greatly occupyed, molested, and troubled in their secular affaires, earnestly required of them for *Christes* sake, that now in his olde age they would bee content, that hee might commit some part of his secular care, vnto one *Eradius*, a yong man, but a vertuous Priest? to which request when the people had yeelded, Saint *Austin* added these wordes; *Ergo fratres, quicquid est quod ad me perferebatur, ad illũ perferatur, vbi necessarium habuerit, consilium meum non negabo, auxilium absit, vt subtraham.* Therefore brethren, whatsoeuer was wont to bee brought to my hearing, let it hence-foorth come to him; and when he shall haue neede, I will not denie my counsel: God forbid, I should with-drawe my helpe. By which words of this Holy father, it is most apparãt to euery child, that hee was very much encombred with secular busines, both in the foore-noone and in the after-noone; and yet for all that, he durst not wholy withdraw himselfe: no not with the consent of the people: least in so doing he should offend God. And therefore he said; *Absit*, God forbid. Let the word (*absit*,) be well remembred.

Augustin. Epist. 110.

Saint *Epiphanus* the *Bishop* of *Salamina*, a Citie of *Cyprus*, behaued himselfe so worthily and Christianly, while hee was occupied in politique and ciuill affaires, that in short time he became famous among many Nations.

Hermias Sozomenus in his Ecclesiastical Historie, writeth of the said Father in these words: *Nam cum in multitudine hominum, & in vrbe ampla, eaque maritima, sacerdotio fungeretur, ob præstantiam virtutis, qua etiam negotijs ciuilibus occupatus vsus est, brevi cum ciuibus, tum peregrinis cuiusque nationis notus factus est; illis quidem, vt qui eum coram vidissent, eiusque pie vitæ fecissent periculum: his autem, vt qui illis idem de eo narrantibus fidem adiunxissent.*

Sozom. lib. 6. cap. 32. Hist. eccles.

For

For when hee executed his prieſtly function in a moſt populous and large citie, which was an hauen towne neere vnto the Sea; in a ſhort ſpace he was famous among all Nations, for his great vertues which he made vſe of, while hee was buſied with ſecular affaires. To the Citizens he became famous, becauſe they knewe him familiarly, and had made good tryall of his holy life. To the Strangers, in that they beleeued the conſtant report of the Citizens. Loe, this auncient writer, holy *Father*, and learned Doctor, (who liued aboue one thouſand two hundred yeares agoe,) was either a Iuſtice of *Peace*, when he was the *Biſhop* of *Cyprus*; or elſe had ſome other ciuill office, equivalent to the ſame.

Dorotheus a vertuous and learned Prieſt of *Antioch* did ſerue the Emperour in ciuill affaires. *Euſebius Cæſarienſis* writeth of this auncient Prieſt (who liued more then one thouſand three hundred yeares agoe,) in theſe wordes; *Dorotheum dignitate ſacerdotali tum Antiochiæ donatum, virum ſanè diſertum cognovimus. Hic in ſacris literis exquiſitè eruditus fuit; linguæ hebraicæ diligentèr navavit operam, adeò vt ſcripturas hebraicas ſcientèr poſſet intelligere. Eras honeſtis ac liberalibus parentibus prognatus, humanioris literaturæ neutiquam expers; eunuchus reverà natus, vti illum imperator propter incredibilem eius naturam in ſuam familiam aſciverit, & præfectura purpuræ tingendæ, quæ apud Tyrum eſt, honorificè donarit.* *Euſeb. lib. 7. cap. 26.*

We knowe *Dorotheus* a Prieſt of *Antioch*, an eloquent man in deede. He was very ſkilfull in the holy Scriptures; he had profited ſo in the Hebrew tongue, that he could perfectly vnderſtand the Scriptures in Hebrew, hee was deſcended of honeſt and liberall parents, not vnſeene in humane literature. He was indeede an Eunuch borne, ſo that the Emperour rauiſhed with his excellent nature, receiued him into his Court, and gaue him an honourable charge to ouerſee his houſe, where his purple was dyed at *Tyrus*.

Nicephor. lib.7.cap.9. *Nicephorus Callistus* in his Ecclesiasticall Historie, telleth vs of one *Phileas*, a famous Bishope and blessed Martyr; who (as hee reporteth,) got great credite for his dexteritie in deciding ciuil causes committed to his charge. But to let others passe, let vs heare, what a famous late writer saith: who fauoured the presbyteriall Discipline, so farre foorth, as either by learning or safe conscience hee could agree therevnto. These are his expresse wordes: *Interim non diffitemur episcopos, qui simul etiam principes sunt præter authoritatem ecclesiasticam, sua etiam habere iura politica, secularesque potestates, quemadmodum & reliqui habent principes: ius imperandi secularia; ius gladij; nonnullos ius eligendi confirmandique reges & imperatores, aliaque politica constituendi & administrandi, subditosq; sibi populos ad obedientiam sibi præstandam cogendi. Ac proinde fatemur politicis horum mandatis, quæ sine transgressione legis diuinæ seruari possunt, a subditis obtemperandum esse non solum propter timorem, sed etiam propter conscientiam.*

Zanchius de religione, Page 176. Vide supra cap 4 ex Musculo, & notato. Et infra cap. 11. ex eodem, & nota valdè resp ad 2. obiect.

Neuertheless, wee doe not denie, that Bishops which are also Princes, may besides their authoritie ecclesiasticall, haue also politicall rights and secular power, like as other Princes haue: right to commaund secular matters; authoritie to vse the sword; authoritie to choose and confirme Kinges and Emperours, & to constitute and administrate, other ciuill affaires, as also to compell their subiects to yeelde obedience to them in that behalfe. And therefore wee graunt, that their subiects must obey their civill commandes, which may be kept without offence of Gods law: and that not onely for feare, but also for conscience sake.

Zanch. vbi supra, Pag. 274. The same *Zanchius* in an other place hath these wordes: *Quis autem illis omninò obediendum esse, quo iure, quaque iniuria principes fuerint creati, ex testimonijs a me allatis non videat apertè demonstrari? cur. n. qui subditi sunt Moguntino, Colonienſi, Trevirenſi, principibus imperij simul & archi-*

archiepiſcopis, in rebus cum pietate chriſtiana non pugnantibus non obtemperent? ſeditioſorum certè fuerit, non obtemperare. Quodſi iſtis, cur non etiam Romano iiſdem in rebus & eandem ob cauſam, qui ſub eius viuunt imperio? eadem, n. horum omnium eſt ratio.

And who cannot ſee it euidently proued, by the examples which I haue alledged, that they muſt bee obeyed vndoubtedly, whether they be by right, or no right created Princes. For why ſhall not ſubiects obey in things not againſt Chriſtian pietie, the Princes of the Empire being alſo Arch-biſhops, of *Moguntia*, *Colen*, and *Trevers*? it is doubtleſſe the properietie of ſedicious perſons, not to yeelde obedience vnto them. And if theſe muſt bee obeyed, why not alſo the *Biſhop of Rome*, in the ſame matters and for the ſame cauſe, of thoſe that liue within his Empire? for there is the like reaſon of them all. Thus writeth the famous and great learned Doctor *Zanchius*. Out of whoſe reſolution, I obſerue theſe points, for the good of the gentle Reader.

Firſt, that Eccleſiaſticall and Civill iuriſdiction are compatible, and may both be in one and the ſame ſubiect at once. 1

Secondly, that Biſhops which are alſo Princes, may together with their Eccleſiaſticall iuriſdiction, haue alſo ſecular power, and authoritie to vſe the ſword, and ſuch like. 2

Thirdly, that the people within their dominions and liberties, are bound to obey them. 3

Fourthly, that they muſt obey not onely for feare, but euen for conſcience-ſake. 4

Fiftly, that whoſoeuer ſhall diſobey ſuch *Biſhops* and Arch-biſhops, doe ſhewe themſelues thereby to be ſeditious fellowes. To which I adde, that this doctine of this great learned man, (who was a moſt zealous 5

profeſſour of Chriſtes Goſpell) doth flatly confound, and euen ſtrike dead, pronouncing a ſharpe *ve vobis* to all ſuch, as ſhall obſtinately refuſe to obey our *Biſhops* and Arch-byſhops here in *England*. For whatſoeuer can be obiected againſt our Biſhops, why wee ſhall not obey them: the ſame may be alledged againſt thoſe Biſhops, of which *Zanchius* ſpeaketh in this place. Yea our Biſhops, are as lawfully created Barons, and doe this day as lawfully enioy their temporall *B*aronries (for ought I know,) by the free donation of the Kings of this Realme of famous memorie, as doe the Biſhops of *Germanie*. I therefore conclude, from a good foundation ſurely layd, that Biſhops and Arch-biſhops, aſwell concerning their names and titles, as their authoritie, iuriſdiction, and ſuperioritie ouer other Miniſters, are both lawfull, neceſſarie and agreeable to the practiſe of the Catholique Church in all Ages: and conſequently, that none will or can denie the ſame, but ſuch as are either wholy ignorant, in the auncient Councels, holy Fathers, and eccleſiaſticall hiſtories: or elſe maliciouſly bent to ſpeake againſt their owne knowledge, and wittingly and willingly to oppoſe them ſelues againſt the knowne truth. Yea, Maiſter *Calvin* graunteth freely, that hee which is Lorde of a Village or Citie, may exerciſe the office of teaching.

Calvin in harmon. evangel. pag. 263.

CHAP.

CHAP. VII.

Of the Churches authoritie, in things indifferent.

The first aphorisme, of things de facto altered in the Church.

MAny things being in their owne nature indifferent, haue beene changed in the Church by her authoritie, as the circumstances of times, places, and persons did require. First, our Lord Iesus did celebrate the holy Communion and memoriall of his sacred passion, in the euening after Supper. Yet the Churches custome this day is and euer was, to celebrate the same in the morning before Dinner. Secondly, Christ did celebrate the same, vsing vnleauened bread therein, but the reformed Churches doe this day vse leauened bread without offēce in so doing. Thirdly, Christs Apostles receiued the blessed *Eucharist* sitting: but the custome of the Church hath euer beene, to receiue the same kneeling. And they that would seeme to haue most spiced consciences, will not sticke to receiue it standing or walking. Fourthly, Christ washed his Apostles feete, willing them to followe his example, and to wash one anothers feete. Fiftly, the Apostles made a solemne Decree, affirming it to proceede from the holy Ghost, to abstaine from blood, & that which is strangled. And yet the church many yeares agoe, haue wholy altered that holy ordinance and Apostolicall constitution. Sixtly, Saint *Paul*, after hee had willed the *Corinthyans*, and vs in them, to be followers of him, euen as he was of Christ, telleth them and vs plainly, that euery man praying or Propheſing hauing any thing on his head, dishonoureth his head. And yet at this day, smal account is made therof. This point will be made more plaine, when I come to speake of the oath *Ex officio*.

Mat. 26. *V.* 20. *Mar.* 14 *v.* 23. *Luc.* 22 *v.* 19. 1. *cor.* 11 23. *exod.* 12. 18. *numb.* 28. 17. *luc.* 22. 14 *mar.* 14. 18. *mat.* 26 *v.* 20 *Iohn.* 13. *v.* 14. 15.

Act. 15. *v.* 29.

Vide infrà, Cap. 14. *membro.* 7.

The second Aphorisme, of things not expressed in the Scriptures, and yet decreed by the Church to be obserued and kept.

IN the church of the *Hebrewes*, wee read of many approoued constitutions, for which there was no warrāt in the written word. *First*, King *Salomon* appointed a solemne festiuitie, for the dedication of the Temple, which continued for the space of seuen whole daies. Secondly, Queene *Hester* and *Mordicai* appointed the *Iewes* to keepe a solemne feast, for the remembrance of their happy deliuerāce from *Hamans* crueltie. Thirdly, the *Machabees*, *Iudas* and his brethren, ordained that the dedication of the Altar should be kept from yeare to yeare, by the space of eight daies with mirth and gladnesse. *Fourthly*, in the daies of *Nehemiah* the Captaine, and of *Ezra* the Priest, the *Iewes* were appointed to keepe the dedication of the wall at *Hierusalem*, with thankes-giuing, and with songes, Cymbals, Violes, and Harpes. Concerning which dedication instituted by *Iudas Machabæus*, Christ himself honoured it with his presence, and maister *Caluin* affordeth it this explication. *Ac si diceres, innouationes; quia templum quod pollutum fuerat, de integro consecratum fuit auspicijs Iudæ Machabæi; ac tunc institutum fuit vt quotannis festus ac celebris esset dedicationis nouæ dies, vt dei gratiam quæ finem Antiochi tyrannidi imposuerat, memoria repeterent. Tunc autem in templo Christus pro more apparuit, vt in frequenti hominum conuentu vberior esset prædicationis suæ fructus.* As if thou shouldest say, innouatiōs; because the Temple which had bene polluted, was cōsecrated a fresh by *Iudas Machabæus* his authoritie, & then was it ordained, that there should be yearely a feast and a solemne day of the new dedicatiō that they might remember Gods grace and mercy, which had made an end of *Antiochus* his tyranny. At which time, Christ was present after his maner in the Temple, that in so great a concurse of people, his Preaching

1. *Reg.* 8. 2. *par.* 7.

Hest. cap. 3. *and cap.* 9. 1. *mach.* 4. *v.* 59.

Ez. 6 16. *Nehe.* 12. *v.* 27.

Ioan. 10. *v.* 22 *Caluin in* 10 *Iohan.*

Preaching might haue the better effect. Yea, maister *Calvin* granteth that the *Iewes* instituted their *Sanhedrim* after their returne from Captiuitie. *Calvin sup. 18 mat.*

This libertie the Church hath this day, as may appeare by the freedome in altering the Saboth-day. For, as I haue proued at large, by the testimonie not onely of the ancient Fathers, but also of the best approued late writers, *Philippus Melancton, Erasmus Roterodamus, Iohannes Caluinus, Petrus Martyr, Pellicanus, Bullingerus*, and *Vrsinus*, in my booke of *Surney*; though it be constant & perpetuall, to haue one day in the weeke assigned for diuine seruice, that being the morall part of the Sabaoth and vnalterable; yet, whether this or that day ought to bee appointed for that purpose, it is a thing that respects the time, and may bee changed by the church. If any shal hold the contrary doctrine, he must perforce fall into flat iudaisme, & tye himselfe to the obseruãce of dayes, moneths & yeares, against the Apostolike doctrine For to be tied of necessitie to the time, is a flat Iewish superstition, & intrinsecally ceremonial; as all the aforenamed learned men: doe & will testifie with me. yet I neither wish, nor deeme it a thing conuenient, to change the Lords day or Saboath. *In my surney* *Vide infrà, cap. 10. ex Bucero.* *Gal. 4. v. 10.*

The third aphorisme, of the rules which the Church must obserue, in all her constitutions, ordinances, and decrees.

THe first rule, which the Church must obserue in her lawes, decrees, & constitutions, is this; *viz.* That shee prohibite nothing which God commandeth, neither cõmand any thing, which God prohibiteth. Ye shal put nothing to the word which I cõmand you, neither shal ye take ought there-from. Take heed therfore, that yee doe as the Lord your God hath commanded you: turne not aside to the right hand, nor to the left. Let not this booke of the law depart out of thy mouth, but meditate therein day and night, that thou maiest obserue and doe according to all that is written therein. *Regula Prima.* *Deut. 4. 2.* *Deut. 5. 32.* *Ios. 1. 8.*

The

Regula. Secunda. Mat.15.9. Coloss.2.V. 23.

The second rule is this; that the decrees and constitutions of the Church, bee not made a part of Gods worship, nor holden as necessary vnto saluation. For as our Sauiour saith, they worship him in vaine, who teach for Doctrines, the precepts of men. And therfore doth the Apostle condemne *Ethelothrescêian* all voluntarie worship deuised by man.

Regula tertia.

The third rule is this; that the decrees and constitutions of the Church, be onely made of things indifferent, and for one of these three endes; *viz.* either for edification, or for decencie and comelinesse, or for order sake, and peaceable gouernment of the Church. Of these endes speaketh the Apostle, where he willeth all things to be done vnto edifying, and to be done decently, and orderly. *1.Cor.14.v. 26.40.* These three Aphorismes seriously obserued, & duly pondered, all Ceremonies, Ordinances, Decrees, and Constitutions of our *English* Church, will find ready and sufficient approbation.

The Demonstration.

The corollarie and illation deduced out of the precedent Aphorismes may be made cleare and euident, by three inuincible and irrefragable reasons. Wherof the first is taken, from the authoritie of the holy Scriptures; the second, from the practise of the Catholique Church. The third, from the vniforme consent of best approued late Writers.

The 1. reason drawne from the holy Scriptures.

Vide infrà, cap 14. membro, 2. in resp. ad 2 obiect. ex Zuinglio.

HOly *Writ* teacheth vs, that the Church *De facto* hath altered many things, which Christ himselfe did both institute, and put in practise. That the Church ordained and Decreed many things, whereof the Scripture maketh no mention. And that the Church may make decrees, Lawes, ordinances, and constitutions, in all things *Adiaphorois* which are of their own nature indifferent; so the same tend

tend to edification, comelineſſe, or peaceable gouernment of the Church. This reaſon is proued, throughout, all the precedent Aphoriſmes. And it will be more plaine, when I come to ſpeake of the election of miniſters. *Vide infrà, ca. 9. ex Calvino & Beza*

The 2. reaſon, drawne from the practiſe of the auncient Church.

IF the gentle Reader ſhall call to minde, what I haue in this diſcourſe alreadie ſet downe, out of the Decrees of the auncient and holy Councels; out of the holy *Fathers*, and beſt approoued late Writers; hee cannot reſt doubtfull, or ſtagger any longer in this behalfe. Saint *Auſten* writeth ſo grauely and ſo copiouſly of this matter, in many of his bookes extant in the world; as hee is well able to ſatisfie euery one, that will be perſwaded with reaſon. In his Epiſtle to *Iannarius*, (to omit all other his manifold teſtimonies,) he telleth vs, that ꝧ Catholique Church by her freedome and authoritie, hath inſtituted certaine ſolemne feaſtes, of the paſſion, reſurrectiō, aſcenſion of Chriſt, and deſcending of the holy Ghoſt, to be yearely obſerued throughout the Chriſtian world. He addeth theſe moſt golden wordes; *Nec diſciplina vlla eſt in his melior graui prudentique chriſtiano, quàm vt eo modo agat quo agere viderit eccleſiā ad quamcunque fortè deuenerit. Quod. n. neque contra fidem, neque contra bonos mores iniungitur, indifferentèr eſt habendū et pro eorum inter quos viuitur ſocietate ſeruandum eſt.* *Supra, cap. 4: 5. & 6.* *Aug. in epiſt. ad Ianuar. epiſt. 118. vide Calu. lib. 4. inſtit. cap. 10. §. 19.*

Neither can there be any better diſcipline in theſe matters for a graue and diſcrete chriſtan, then to doe ſo as hee ſhall ſee that Church doe, to which hee hath occaſion to come. For, that which is neither againſt faith, nor againſt good manners, may be indifferently obſerued for their ſocietie, amongſt whom we doe conuerſe. In the ſame Epiſtle the ſame holy *Father* telleth vs Saint *Ambroſe* his iudgement, concerning the varietie of faſting. Theſe are his *Auguſt vbi-ſupra.*

wordes; *Cum Romã venio, ieiuno ſabbato, cum hic ſum, non ieiuno: ſic etiam tu, ad quam fortè eccleſiam veneris, eius morem ſerua, ſi tuiquam non vis eſſe ſcandalo, nec quenquã tibi.* Whē I come to *Rome* (ſaith Saint *Ambroſe*,) I faſt on Satterday; when I am here at *Millan*, I doe not faſt. Euen ſo muſt you doe, when you come to any other Church, you muſt doe after the manner of that Church, if you will neither ſcandalize others, nor haue others to ſcandalize you. Heere is a moſt golden rule, how to behaue our ſelues in things indifferent. *viz*, to conforme our ſelues to the time, place, and perſons, when, where, and with whom we doe conuerſe. If our brethren would ſeriouſly ponder, and duly weigh this golden aduiſe of this holy Father, they would abandon all contention doubtleſſe, about the ſigne of the Croſſe, the Surpleſſe, and ſuch like indifferent things; and for that dutie which they owe vnto the magiſtrate, whom they are bound to obey in all lawfull things, euen for conſcience ſake; they would conforme themſelues to his lawes and their brethren, and not to ſcandalize the whole Church as they doe.

Vide ſuprà cap. 5. §. 2. ex zanchio, & nota valdè.

Rom. 13.

To this graue teſtimonie of Saint *Auſten* and Saint *Ambroſe*, it ſhall ſuffice for the ſecond reaſon, to adde this memorable obſeruation, *viz*, that our brethren, who labour ſo buſily to enforce vs violently, to receiue their newe diſcipline; are not able to make demonſtration to vs, either out of the Scriptures, or generall Councels, or the holy fathers, or eccleſiaſticall hiſtories; that any Church in the Chriſtian world, from two hundred yeares before the famous Councell of *Nice*, vntill maiſter *Caluins* daies that is, for the ſpace of a thouſand foure hundred yeares together, to ſay nothing of former times, *had either the ſame newe diſcipline in practiſe, or any paſtors made after their manner.* Which if it cannot be done, they wil (*I* doubt not,) after mature delibration had therein, confeſſe willingly and truly at leaſt in their hearts; that in this Church of *England*, there

Vide Caluin. & nota valdè, lib. 4. inſtit. cap 2. §. 11.

2. Tim. 1. Verſ. 6. vide Caluin. lib. 4. inſtit. cap. 3. §. 16.

is this day a lawfull ministerie, consisting of lawfull Ministers and *Bishops*, according to the practise of the Church in all ages.

The third reason, drawne from the vniforme consent of best approued late writers.

MAister *Caluin* hath a very large and learned discourse of this question, some part whereof shall suffice at this present. These are his wordes. *Quia autem in externa disciplina & ceremonijs, non valuit sigillatim prescribere quid sequi debeamus, quod illud pendere a temporum conditione prouideret, neque iudicaret vnam seculis omnibus formam conuenire, confugere hic oportet ad generales quas dedit regulas, vt ad eas exigantur quæcunque ad ordinem & decorum præcipi necessitas ecclesiæ postulabit, Postremò quia ideo Nihil expressũ tradidit, quia nec ad salutem hæc necessaria sunt, en pro moribus vniuscuiusque gentis ac seculi variè accommodari debent ad ecclesiæ ædificationem, prout ecclesiæ vtilitas requiret, tam vsitatas mutare & abrogare, quam novas instituere conveniet, Fateor equidem, non temerè, nec subinde, nec levibus de causis, ad innovationem esse decurrendum. Sed quid vocet vel ædificet, charitas optimè iudicabit, quam si moderatricẽ esse patiemur, salva erunt omnia.*

Calu. libr. 4. instit. cap. 10. §. 30. vide. Zanchiũ in compend. ipsissima. n. habet verba. pag. 641.

But because in externall discipline and ceremonies, hee would not particularly prescribe what wee ought to followe, because he foresaw that this depended vpon the state and condition of the time, and did not deeme one maner to be agreeable to all ages; here we must haue recourse to his generall rules giuen vs, and make triall by them of what things soeuer, the necessitie of the Church shall require for order and comelinesse. Lastly, because hee therefore deliuered nothing expressely, for that they are not necessarie to saluation, but must be applied diuersly to the benefit of the Church, as the manners of euery nation doe require, it shall therefore be convenient, as well to chaunge and abolish the olde ceremonies, as to institute newe, as the good of the Church shall require. I confesse freely that

Notate cap. 10. ex Bucero Zuinglio, Hemingio, nota valdè.

we must not vse innouation, neither rashly, nor often, nor vpon light occasions. But what shall bee hurtfull or profitable, charitie shall best discerne; which if we shall suffer to rule vs, euery thing shall be well.

Caluin. in.1. cor. 11. v.2. *Vide infrà, cap.10.per totum, & cap 14.ex Hieron.notetur locus in membro.4.*

The same author in an other place, hath these wordes; *Ego autem non nego, quin aliquæ fuerint apostolorum traditiones non scriptæ; sed non concedo fuisse doctrinæ partes, nec de rebus ad salutem necessarijs. Quid igitur? quæ pertinerent ad ordinem & politiam. Scimus.n. vnicuique ecclesiæ liberum esse, politiæ formam instituere sibi aptam & vtilem; quæ dominus nihil certi præscripserit.*

But I denie not, that the Apostles deliuered some traditions, which are not written. Yet *I* doe not grant, that they were either parts of doctrine, or necessary to saluatiō. What were they then? doubtlesse, such as pertained to pollicy and order. For we knowe, that euery Church hath her fredome and libertie, to institute and ordaine such a kind of pollicie (& discipline) as shal be thought meet & profitable for the same; because our Lord prescribed no certaine rule therein.

Caluin in argum ad gal. *Vide infrà cap. 9. & nota valdè.*

The same author in an other place, hath these words; *Alios omnes ritus illic non vsitatos, nō tantùm respuebant sed audacter etiam damnabant. Talis morositas deterrima est pestis, quum morem ecclesiæ vnius volumus pro vniuersali lege valere.*

They did not onely refuse all other ceremonies not vsed in that place, but did also malepertly condemne them. Such Morositie is a most noysome plague; when wee will make the manner and discipline of one onely Church, to be a generall rule for all. Thus writeth this learned Doctor. Out of whose wordes *I* may truly gather so much, as will euidently make good the question I haue in hand.

1 For First, he telleth vs plainly, that the holy Apostle did not set downe any certaine rule or lawe, concerning things indifferent.

2 Secondly, that hee left that freedome and libertie to the Church, and that for this ende and purpose; because forsooth,

forsooth; he foresaw in his wisedome, that such things depended vpon the condition of times: and that one manner of discipline, was not conuenient to all places and persons. Thirdly, that euery Church may either chaunge her olde ceremonies, or institute new, as the necessitie of the Church requireth. Fourthly, that charitie is the best rule to follow herein: and that euery thing is lawfull, which is agreeable to the same. Which rule S. *Augustine* appointed before him, as I haue proued already. Fiftly, that the Church hath receiued many vnwritten traditions, concerning the discipline, order, and government of the Church. Sixtly, that it is free and lawfull for euery Church, to appoint, ordaine and constitute, that kind of pollicie, discipline, & government, which is most fit & profitable for the same. And the reason hereof is yeelded to be this; becausе our Lord *Iesus* hath prescribed no setled law therein, but hath left all indifferent things to the libertie of his Church. Seuenthly, that there can no greater plague come to the Church, then to tye all Churches to one kinde of externall government. *Zanchius* teacheth the selfe same doctrine, euen in the same words.

3 4 5 6 7

Zanch. vbi suprà.

Petrus Martyr, after he hath distributed traditions into three orders, shewing one kinde to bee expressed in the Scriptures: an other plaine repugnant to the same; the third neither contrary to the word of GOD, neither necessarily affixed vnto it: addeth these expresse words:

Martyr in 1. Cor. 1. 10.

Sunt nonnullæ traditiones, quas neutras appellare libuit, quod verbo dei nec aduersentur, nec illi necessariò cohæreant, in quibus mos ecclesiæ gerendus est, tribus interpositis cautionibus. Primùm videndum est, ne obtrudantur, quasi dei cultus & peculiaris quædam sanctimonia; quandoquidem potius recipiendæ sunt ad ordinum conseruandum, & ciuilem ecclesiæ commoditatem, atque sacrarum actionum decorum: alioquin in sacris literis luculenter habemus descripta, quæ ad sanctitatem & cultum dei cõducunt. Præterea cauere oportet, ne quæ sic tradũtur, ita putemus necessaria, vt pro tempore amoueri non possint, Seruetur ec-

Vide infrà, cap. 14. membr 2. & 3. per totum.

cleſiæ ſuum ius de his mediis, vt quoad illa ſtatuat, quicquid viderit magis ædificationem credentium promouere. Conſideretur demùm, ſæpiùs nimijs traditionibus & ceremonijs in immenſum auctis populum Chriſti ſic grauari, vt tantum non obruatur.

There bee ſome traditions, which may bee termed neutrall or indifferent, for that they neither are againſt Gods word, neither doe they neceſſarily cohere with it. In which ceremonies, the Churches conſtitution muſt bee obeyed, if three cautions doe concurre. 1 First, that they bee not obtruded, as Gods worſhip, or peculiar holineſſe; but as pertaining to order and the ciuill commoditie of the Church, and to comlineſſe in diuine actions: otherwiſe all things are ſufficiently compriſed in the holy Scriptures, 2 which pertaine to holineſſe and gods worſhip. Secondly, we muſt beware, that they be not reputed ſo neceſſarie, that they cannot be chaunged, as the time requireth. Let the Church keepe her intereſt and libertie in theſe indifferent things, to appoint what ſhall be thought moſt neceſſarie to 3 the edifying of the faithfull. Laſtly, let it bee well remembred, that the multitude of Ceremonies doth often ſo annoy the people, that they are almoſt vndone therewith.

M. *Beza*, hath theſe words: *Quoniam multitudo plerumque & imperita eſt, & intractabilis, & maior pars ſæpè meliorem vincit, ne in democratia quidem legitimè conſtituta omnia permiſſa ſunt effræni vulgo; ſed conſtituti ſunt ex populi conſenſu certi magiſtratus, qui plebi præeant, & inconditam multitudinem regant. Quòd ſi hæc prudentia in negotijs humanis requiritur, multò ſanè magis opus eſt certa moderatione in ijs rebus, in quibus homines prorſus cæcutiunt, neque cauſa eſt, cur quiſquam ſani iudicij homo clamitet, nullum hic eſſe prudentiæ locum, niſi hanc prudentiam de qua loquor, oſtendat cum dei verbo pugnare, quod ſanè non arbitror. Neque, n. ſimpliciter ſpectandum quid ſit ab Apoſtolis factum in politia eccleſiaſtica, quum diuerſiſſimæ ſint circumſtantiæ, ac proinde abſque* Cacozelia *non poſſint omnia omnibus locis ac temporibus ad vnam eandēque formam reuocari: ſed potius ſpectandus eſt eorum finis & ſcopus inua-*

Beza, in conſeſ. cap. 5. Art. 35.

riabilis,

riabilis, & ea deligenda forma ac ratio rerum agendarum, quæ rectè eò deducat.

Because the multitude is for the most part ignorant and intractable, and the greater part doth often times prevaile against the better; all things are not euen in a popular state lawfully appointed, committed to the vnbridled multitude, but certain Magistrates are appointed by the peoples consent, to guide, rule, and gouerne them. If this wisedome be required in wordly affaires, much more is a moderation to be had in those matters: in which men are altogether blinded. Neither is there any cause, why any man of sound iudgement shall exclaime, that in such matters, there is no place for pollicie; except hee can shewe this pollicie whereof I speake, to be repugnant to the word of GOD, which I am perswaded he can never doe. For we must not simply looke, what the Apostles did in ecclesiasticall pollicie and Church-gouernment, seeing there is so great varietie of circumstances, that a man cannot without preposterous zeale, reduce all things in all places and times to one and the same forme in doing things, which leadeth the right way to the same. Thus writeth Maister *Beza*, who hath many like periods to the like effect, which I omit in regard of brevitie. *Vide Bezam, cap. 5. Art. 17.*

Out of these words, I note first, that the Church is not so strictly bound to the practise of the Apostles, that she must alwayes follow the same in these *Adiaphorôis* Secondly, that the Church in things indifferent, hath power to make any Lawes, which are not repugnant to the word of God. Which point *I* would haue the Reader to ponder seriously, because it is very emphaticall and of great moment. Thirdly, that all Churches cannot haue one and and the same kind of government, because the circumstances of times, places, and persons, will not suffer it. Fourthly, that the Church in all the lawes and constitutions, must chiefly respect the peaceable government of the people. 1 2 *The authoritie of the Church is very great.* 3

Hieronymus

Zanch. de relig. Pag. 183.

Hieronymus Zanchius is consonant to the other Doctors, while he writeth in this manner: *De ritibus & ceremonijs in ecclesia servandis, eadem pietas & ecclesiarum aedificatio flagitat; ne nimis acriter, quasi pro aris & focis, vt dici solet, sit dimicatio, disceptetur, sed singulis ecclesijs liberi relinquantur; quemadmodum etiam in veteri ecclesia factum fuisse, apud Socratem & alios ecclesiasticos scriptores legimus. Quibus de rebus in genere, probamus atque amplectimur vtramque epistolam Augustini ad Ianuarium. Haec. n. faciunt ad ecclesiae aedificationem.*

Touching Rites and Ceremonies to bee obserued in the Church, the same pietie and edifying of the Church requireth, that wee contend not too biterly, as if it were for matters of great moment: but that euery Church haue her libertie therein, as we reade in *Socrates* and other ecclesiasticall writers, that it was the olde custome of the Church. Of which things in generall, we allow and embrace both the Epistles which *Austin* wrote to *Iannarius*. For these things tend to the edification of the Church.

Zanch. de religi Pag. 169. Vide eundem Zanchium in compend. Pag. 641. & pag. 636.

The same *Zanchius* in an other place, hath these words: *Interea tamen non improbamus patres, quod iuxta variam tum verbi dispensandi, tum regendae ecclesiae rationem, varios quoque ordines ministrorũ multiplicaverint; quando id eis liberum fuit, sicut & nobis; & quando constat, id ab illis fuisse factum honestis de causis, ad ordinem ad decorũ, & ad aedificationem ecclesiae, pro eo tempore pertinentibus.*

In the meane while wee blame not the Fathers, that for the diuers manner of dispensing the word and gouerning the Church, they haue also multiplyed diuers orders of Ministers; because they had libertie so to doe, as our selues also haue: and because it is euident, that they did that vpon honest causes, which pertained at that time, to order comelinesse, and edification of the Church. Thus writeth the most learned Doctor, Maister *Zanchius*; who (if I bee iudge,) was a man of as rare learning and profound iudgement, as euer was any in the Church. Out of whose words I obserue; First, that wee should not moue contention

tion in the Church, for any rites and Ceremonies in the same. Secondly, that euery Church hath her libertie therein, to appoint what is best for her owne government. Thirdly, that the Church of olde time, did vse so to doe. Fourthly, that *Zanchius* approueth S. *Austins* rule herein, as M. *Calvin* did before him. Fiftly, that it was lawfull for the auncient Church to appoint sundry orders of ministers; and the church this day hath the same authoritie. Sixtly, that the causes and respects, for which the church may ordaine and make lawes in things indifferent, are either edification, order, or decencie; as I haue proued already at large. 2 3 4 5 6

The Corollarie of the Chapter.

FIrst, the church may chaunge *Christs* owne practise, and that in Rites and ceremonies pertaining to the holy Sacraments. Secondly, the church may appoint solemne feastes to be obserued: as Salomon did institute the dedication of the Temple for seuen dayes; *Hester* & *Mordecai*, the festivitie of their deliuerance: *Ezra* and *Nehemias*, the dedication of the wall at *Ierusalem*: *Iudas* and his brethren, the dedication of the Altar for eight dayes. Thirdly, the Iewes instituted their *Sanhedrim*, after their returne from their captivitie in *Babylon*. Fourthly, the church by *S. Austins* iudgement may make any Lawes, which are neither against faith nor good manners. Fiftly, the church (saith Maister *Calvin*,) hath authoritie left her in things indifferent, either to make newe lawes, or to casiere and chaunge the old; so often as the necessitie of the church doth so require. Sixtly, the church receiued many vnwritten traditions, concerning order and government of the Church. Seuenthly, the church, saith *Zanchius*, hath authoritie to constitute moe orders of Ministers, when it is for the good of the Church. Eightly, the church may make any lawes, which are not repugnant to Gods word. So 1 2 *Calvin. in 18. mat. notetur.* 3 4 5 6 *Calvin. in 1. cor. 11.* 7 8

ſaith M. *Beza*, telling vs plainly, that we muſt not ſo much reſpect what the Apoſtles did, as what the peace and good of the church requireth. Much other like matter, the ſame *Beza*, together with *Calvin*, *Martyr*, and *Zanchius*, haue deliuerd vnto vs: as may appeare by this preſent Chapter. I therefore conclude, that the authoritie, which this our our Engliſh church doth this day challenge vnto her, in her rites, ceremonies, ordinances, lawes, and conſtitutions, is grounded vppon the holy Scriptures, the practiſe of the Catholique Church, and the beſt approued late writers. Al obiections, that poſſibly can be made againſt the lawes and conſtitutions of our Engliſh Church, may bee anſwered with all facilitie, by that which is plainly deliuered in this preſent Chapter, whoſoeuer ſhall marke it well, will (I thinke,) bee of mine opinion, ſee the ninth Chapter, and marke it.

Vide infra, cap 9.

CHAP. VIII.

Of things indifferent in particular.

The firſt Aphoriſme, of Church-holy dayes.

Vide infra, cap. 14. membr. 7.

THe vulgar people for a great part, what through vndiſcreet zeale in ſome, and too too raſh preaching (*Ne quid grauius dicã*) in other ſome, are ſo perſwaded, or rather bewitched & blinded; that they thinke they ſerue God better, (alas for pittie.) if they be quaffing in the Ale-houſe; or ſleeping in their chambers, or gazing in the ſtreets; then doe their honeſt neighbours, in going to the church on holy dayes, there to ioyne with the faithfull in hearing diuine ſeruice and godly prayers. They are not abaſhed to ſay for their vnchriſtian excuſes; that no power vpon earth can appoint an holy-day, and that it is great ſuperſtition to obſerue the ſame. *But certes*, none that

that are well ſtudied or read, either in the holy eccleſiaſticall hiſtories, or in generall Councels, or in the auncient Fathers, or in the beſt approued late writers, can ever without great bluſhing, avouch or defend that vntimely hatched doctrine, and vnſoundly conceived opinion.

Queene *Heſter* and godly *Mordecai*, appointed an holy day; for the remembrance of Gods great benefit toward them, in deliuering them from *Hamans* crueltie. *Heſt. 3 & 9.*

King *Solomon* ordained a ſolemne feſtivitie, for the ſpace of ſeuen dayes: in the dedication of the Temple. *1. reg. 8. 2. par 7.*

The *Machabees* inſtituted an holy feaſt, to bee kept from yeere to yeere, for the ſpace of eight dayes; for the dedication of the Altar. Which feaſt *Chriſt* vouchſafed to honour, with his corporall preſence at *Hieruſalem*. *1. math. 4. See Chap 7. Aphor 2.*

The Iewes inſtituted their new *Sanhedrim, Synedrion*, or *Preſbuterie*, after their returne from their captiuitie in *Babylon*, as maiſter *Calvin* recordeth, in his *Harmonie* vpon Saint *Matthew*. *Calvin in 18. cap. matt. ſect. 16. in confeſſ.*

The reformed churches in *Helvetia*, doe right well allow the feaſtes or holy dayes: of the Nativitie, reſurrection, and ſuch like. *Helvet. Pag. 174.*

If I ſhould endevour my ſelfe to recount all that, which may eaſily be collected out of the auncient councels, & the holy-fathers, for the approbatiō & allowāce of holy-daies, after the cuſtome at this day, & of auncient time vſed in this church of *England*: time would ſooner faile me, then matter whereof to ſpeake. I will in regard to brevitie, content my ſelfe onely with one or two teſtimonies of councels, as alſo of the graue, holy, auncient, & moſt learned father, S. *Auſtin*: & then proceed to the teſtimonie of late writers, becauſe in this diſpute, they whō it chiefly concerneth, either haue not ſeene or read the councels and the fathers, or elſe more raſhly then wiſely, contemne their degrees & iudgements, and without all rime & reaſon preferre their owne opinions before them. The councel holden at *Granado*, or *Elebertine*, aboue 1200. yeares ago, (ſuch is the antiquitie of *A.D. 325.*

holy-dayes in the Christian Church,) reputed the practise of the Church in former ages, to be of such force in that behalfe; that they deemed them Heritiques, that would not obediently yeeld vnto the same. These are the expresse words of the Elebertine Councel: *Pravam institutionẽ emendari placuit, iuxta authoritatem scripturarum; vt cuncti diem Pentecostes celebremus. Quod qui non fecerit, quasi novam haresim induxisse notetur.*

Concil. Elebert. can. 43.

We haue decreed, that the depraved institution bee amended, according to the Scriptures: that wee may all keepe the day of *Penticost*, (and the feast of *Whitsonday*.) Which who soever shall refuse to doe; let him bee noted as one that hath brought a new heresie into the Church. Thus writeth this holy Councel, which for antiquitie-sake ought to bee reuerenced, seeing Poperie long after that time had no footing in the Church. And yet (as we see by their Decrees) he was in those dayes to be holden for an heritique; that would appose himselfe against the Holy-dayes, then obserued by the Lawes and ordinances of the Church. For, no Scripture prescribeth vnto Christians, the obseruation of *Pentecost*, which wee call *Whitsontide*. For though the holy and auncient Councell, speake of amending according to the Scriptures; yet is it not that Councels meaning that the Scripture appointeth that festivitie to be obserued in the Christian Church: but that it is therefore according to the Scripture, because the Scripture in generall termes, hath giuẽ authoritie to the Church, to make Lawes in all such indifferent things. Let this point neuer be forgotten.

Conc. Arel. Can. 1. Cõ Antioch. Can. 1.

The Councell of *Arles*, of *Antioch*, and many others, haue made the like decrees.

Vide Calvin. de Aug. lib. 4 Institut. cap 15. in fine.

Saint *Austin*, (whom for vertue, antiquitie, and learning, the whole world hath reverenced,) hath written so plainly and so effectually, for the Churches authoritie in making Lawes for Holy-dayes; that his Epistles to *Ianuarius*, may suffice all such, as can reade them, and will bee satisfied

satisfied with reason. His wordes are alreadie alledged, in the seuenth Chapter, and third Aphorisme. To which *I* am content for the better satisfaction of the Reader, to adde the same holy Fathers wordes else-where. Writing purposely of keeping holy daies against *Adimantus a Manichee*, he hath these expresse wordes; *Nam nos quoque & dominicum diem & pascha solennitèr celebramus, & quaslibet alias christianas dierum festivitates. Sed quia intelligimus quò pertineant, non tempora observamus, sed quæ illis significantur temporibus. Hæc anglicè reddentur postea.*

August. contra Adimãt. cap. 16. tom. 6

The same holy father in another place, hath these words; *Meminit sanctitas vestra, evangelium secundum Iohannem ex ordine lectionum nos solere tractare. Sed quia nunc interposita est solennitas sanctorum dierum, quibus certas ex evangelio lectiones oportet in ecclesia recitari, quæ ita sunt annuæ vt aliæ esse non possint; ordo ille quem susceperamus, necessitate paulisper intermissus est, non omissus.*

Aug. in præfat. in epist. Iohannis. tom. 9.

Your holinesse remembreth, that wee were wont to intreate vpon the Gospell of *S. Iohn*, according to the order of the lessons. But because at this time there is interposed the solemnitie of Saint-daies, vpon which daies certaine lessons taken out of the Gospel must be read, which are so yearely done, that they cannot be changed; that order which we had taken in hand, is through necessitie somewhat intermitted, but not omitted. For we also do solemnely celebrate, both the Lords day, and Easter, and all other festival daies of Christians. But because we vnderstand, to what end they are referred, wee doe not obserue times, but the things signified by the times.

Hæc præcedunt latinè.

Out of these wordes, *I* obserue first, that in *S. Austens* time, the Church obserued & kept many festivall or Saints daies. Secondly, that the Church did allot speciall portions and parts of the holy Scripture, to bee read vppon those Saints daies. Thirdly, that the Church obserued those daies for signification; which is a point of great moment, and therefore ought to be well remembred.

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Vide Aug. de ciuit. lib. 10. cap. 4.

Matthias Flacius Illyricus, after he hath distributed the obseruation of times into foure orders; naturall, ciuill, ecclesiasticall, and superstitious, he addeth these wordes; *Illyricus in. 4. cap. ad gal.* *Ecclesiastica, quæ etiam decoro & bono ordini seruit; quò facit quoque dies dominica, & tempora precipuarum historiarũ, aut factorum Christi quæ prosunt ad ædificationem rudium; vt rectiùs meminerint, quando sit dominus natus, passus, & quando in cœlum ascenderit ac de singulis illis historijs suo tempore tãto commodius instituantur, quod valdè rudium memoriæ prodest.*

The ecclesiasticall is that, which serued for comelinesse and good order; as is also the Lords day, and other feasts, wherein we celebrate the memorie of the chiefe histories or Acts of Christ, which be profitable for the instruction of the simple; that they may the better remember, when the Lord was borne, when hee suffered, and when hee ascended vp into heauen, and bee more fitly taught in due time, concerning euery seuerall historie pertaining therevnto. In which place, the same learned Writer affirmeth, that obseruation onely to bee superstitious; when wee put a necessitie, worship, merite, or righteousnesse, in the obseruing of time. *Vide infra, cap. 14. membro. 2. per totum.*

1 Out of these wordes I obserue first, that the keeping of Saints-daies in the Church, serueth for order and comelinesse in the gouernment of the Church.

2 Secondly, that the obseruation of Saint-daies, is very profitable for the instruction of the simple people. Which doctrine is agreeable to that, which Saint *Austen* deliuered afore *Illyricus* was borne.

3 Thirdly, that seeing we put neither necessitie, nor worship, nor merite, nor righteousnesse, in the obseruation of holy daies, our keeping of them, can no way be superstitious.

Confes. Aug. artic. 15. pag 6. In apolog. pag. 192. The reformed Churches in *Germanie*, in their Articles which they exhibited to the Emperour, doe allowe the festiuities of Saints and other holy daies. And the famous Doctor *Philippus Melanthon*, in his Apologie of the saide Articles, hath these wordes. *Item, vt ordo & po-*

luia

litia ecclesiæ doceat imperitos, quid quo tempore gestum sit, hinc sunt feriæ natalis, paschatis: pentecostes, & similes, hoc est, quod Epiphanius ait, politiæ causa institutas esse traditiones viz. *ordinis causa, & vt ordo ille admoneat homines de historia, & beneficijs Christi.* As also that order and pollicie in the Church may teach the ignorant, what things were done, and at what time: hence come holy daies of the natiuitie, *Easter*, *Pentecost*, and the like. Which is it, that *Epiphanius* saith; that traditions were ordained for pollicie sake, *viz.* for to keepe order in the Church, and that that order might admonish the people, of the historie and benefits of Christ. Behold here, how all Writers agree one with another: affirming vniformely, that holy daies are lawfully ordained and kept in the Church: and that for signification sake, and instruction of the people.

Maister *Bullinger* a famous Preacher of the Church of *Tigurie*, holdeth the selfe same opinion, both in his Decades, and in his commentarie vpon the Epistle to the *Romanes*. Where hee alloweth the keeping of the holy daies and festiuities, of the natiuitie, circumcision, and ascension; the feasts of the Virgin *Marie*, *Iohn Baptist*, and many others.

Bulling. de precept. 4. dec. 2 serm. 4. & in epist. ad rom. cap. 14.

Maister *Zunchius* is consonant to the former Writers, deliuering his opinion in these wordes: *Post diem dominicum non possum non probare illorum quoque dierum sanctificationem, quibus memoria recurrit, celebrataque in veteri ecclesia fuit natiuitatis D. N. I. C. circumcisionis, passionis, resurrectionis, ascensionis in cœlum, missionis Spiritus sancti in apostolos. Reliqui diebus prout quæque ecclesia expedire iudicauerit, sic etiam sacrum cœtum conuocet ad verbum, ad sacramenta, ad preces, ad collectas. Semper vero absit, omnis dierum superstitiosa obseruatio.*

Zanch. de rebus. pag. 182.

Next after the Lords day, I cannot but like and allowe the sanctification of those daies also, in which the auncient

ent Church did celebrate the memorie, of the natiuitie of our Lord Iesus Christ, of the circumcision, passion, resurrection, ascension, and the comming downe of the holy Ghost vpon the Apostles. Vpon all other daies, as euery Church shall thinke it expedient, so let them call together the congregation, to Sermons, Sacraments, praiers, and collections. But euer all superstitious obseruation, must bee quite laide away.

Out of these wordes of this zealous Christian, and most learned Father, (whose authoritie, if I had nothing else to say, would weigh deepely with mine owne conscience,) I note first, that *Zanchius* doth highly reuerence the constitution of the Church, concerning holy-daies. Secondly, that euery Church hath free libertie to appoint such holy-daies, as are most conuenient for themselues. Thirdly, that no such constitution of daies is vnlawful, but that onely which tendeth to superstition. And maister *Calvin* himselfe agreeth vnto *Zanchius*, in many places of his workes.

Calvin. in. 4. cap. ad gal. in 2. cap. ad col. inst. lib. 2. cap. 8. s. 34.

The second Aphorisme, of kneeling at the holy Communion.

THeir opinion, who hold it vnlawfull to receiue the holy Communion, kneeling on their knees; seemeth to me so rediculous, sensleslesse, and voide of all Christian modestie; that *I* deeme it needlesse, to vse many words for the cõfutation therof. King *Salomon* the wisest King that euer liued in the world, vsed to kneele vpon his knees, and to stretch out his hands, when he offered vp his prayers vnto God. For thus saith holy *Writ* of him, in that behalfe; When *Salomon* had made an ende of praying all his prayer and supplication vnto the Lord, he arose from before the Altar of the Lord, from kneeling on his knees, and stretching of his hands to heauen.

3. Reg. 4. v. 29. 2. par. 6. Vers. 13. 1. reg. 8. v. 54. 2. par. 6. v. 13.

Ezra

Ezra when he praied to the Lord, confeſſed his ſinnes with teares, and fel down before the houſe of God, and praied to God, vpon his knees, and *Daniel* praied vpon his knees three times a day. Chriſt our ſauiour himſelfe fell down on his face, when he praied to his father. And Saint *Luke* ſaith, that when he was drawen aſide from his Diſciples, he kneeled down, and praied. S. *Peter* praied kneeling, after the example of Chriſt his Lord and maiſter. Saint *Steuen*, when the curſed *Iewes* gnaſhed their teeth againſt him, and ran violently vpon him, and ſtoned him to death, fell to his praiers, and kneeled vpon his knees. And Saint *Paul* bowed his knees vnto God, when he praied for the people. Theſe teſtimonies drawne from the holy Scriptures, and from the very practiſe of Chriſt himſelfe, and his faithfull ſeruants, were able to ſatisfie euery well diſpoſed minde; neuertheleſſe, to take away all contention and wrangling, if it may be had and obtained of the aduerſe part; I am content to alledge Maiſter *Caluins* opinion, whoſe authoritie with them may not be gainſaid or withſtood. Theſe are his expreſſe wordes; *Hic teſtari operæ pretium eſt, eas demum humanas conſtitutiones me probare, quæ & dei authoritate fundatæ & ex ſcriptura deſumptæ, adeoque prorſus diuinæ ſint. Exemplum ſit in geniculatione, quæ fit dum ſolennes habentur precationes, quæritur ſitne humana traditio, quam repudiare vel negligere cuiuis liceat. Dico ſic eſſe humanã, vt ſimul ſit diuina: dei eſt, quatenus pars eſt decori illius cuius cura & obſeruatio nobis per apoſtolum commendatur; hominum autem, quatenus ſpecialiter deſignat, quod in genere fuerat indicatum magis quam expoſitum.*

Ezra 9. 10 *V.* 1. *cap* 9. *v* 5. *dan* 6. 10. *mat.* 26. *v.* 39. *mar.* 14. 32. *luc.* 22 41. *act.* 9. 40 *act.* 20. *v.* 36. *Act.* 7. *v.* 60. *epheſ.* 3. 14. *Caluin. lib.* 4. *inſtit. cap.* 10. §. 30. *See the ſeuenth chapter per totum.* 1. *Cor.* 14. *Verſ* 40.

Here it is worth the labour to teſtifie, that I doe alowe & approue thoſe cõſtitutions of men, which are deriued from Gods authoritie and the holy Scripture, and ſo are altogether become diuine. Let vs take example in kneeling, which is done in time of ſolemne praiers. The queſtion is, if it be ſuch a tradition of man, as euery one may refuſe and contemne the ſame, as he liſt. I anſwere, that it is ſo the tradition

Vide infra, cap 14. *n. emb.* 2. *per totum membr.* 3. *&* 7. *& nota.*

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These are his expresse wordes; *Hic testari operæ pretium est, eas demum humanas constitutiones me probare, quæ & dei authoritate fundatæ & ex scriptura desumptæ, adeoque prorsus diuinæ sint. Exemplum sit in genuflexione, quæ fit dum solennes habentur precationes, quæritur sitne humana traditio, quam repudiare vel negligere cuiuis liceat. Dico sic esse humanã, vt simul sit diuina: ac i est, quatenus pars est decori illius cuius cura & obseruatio nobis per apostolum commendatur; hominum autem, quatenus specialiter designat, quod in genere fuerat indicatum magis quam expositum.* *Caluin. lib. 4. instit. cap. 10. §. 30. See the seuenth chapter per totum, 1. Cor. 14. Vers 40.*

Here it is worth the labour to testifie, that I doe alowe & approue those cõstitutions of men, which are deriued from Gods authoritie and the holy Scripture, and so are altogether become diuine. Let vs take example in kneeling, which is done in time of solemne praiers. The question is, if it be such a tradition of man, as euery one may refuse and contemne the same, as he list. I answere, that it is so the tradition *Vide infra, cap 14. n. emb. 2. per totum membr. 3. & 7. & nota.*

ditiō of man, as it is also a traditiō of God. *It* is of God, as it is a part of that comelines, the care & cōseruatiō wherof is cōmended to vs by the Apostle. *But* it is of man, in respect that it designeth out in specialty, ꝑ was generally insinuated, rather thē expounded. Thus writeth M. *Calvin*, out of whose words I obserue these golden Lessons. *First*, that all constitutions are diuine, which are deduced and gathered out of the Scriptures. 1 2 Secondly, that euery ordinaunce of the Church, which pertaineth to comelinesse, is a cōstitution diuine. And consequently, that euery Ceremonie approued this day in the Church of *England*, is a diuine tradition; and therefore must euery one reuerently & obediently receiue the same, as the ordinance of Almightie God. If this doctrine of M. *Calvins*, were deepely imprinted in euery Englishe subiects heart, there would not one English subiect be found in the land, who would kicke, spurne, or once mutter, against the least ceremonie in the English Church. For euery childe seeth; that by *M. Calvins* doctrine, euery Ceremonie pertaining to comelinesse, *Est de iure diuino*, grounded vpon the generall rule of Gods law. And consequently, he that wil denie any ceremonie in the English Church, to be diuine and not approued by Gods word; must proue out of Gods word which he wil neuer do,) that ꝑ ceremonie doth no way pertaine to comelinesse in the church. For, no wise man can thinke, that ꝑ is rather to be accoūted comely or vncomely which a few yonglings of late dayes haue esteemed so; thē that which was euer reputed so throughout the Christian world, of al learned men generally for 1000. yeeres together. Nay, for one thousand foure hundred yeeres: that is, from S. *Marke* the Euangelist, vntill a thousand and foure hundred yeares were expired, and if no one learned writer can bee found, for the space of so many hundred yeares, that will avouch any one Ceremonie in the Church of *England* this day vsed, as kneeling, the signe of the Crosse, the Surplesse, and such like, to bee an vncomely Ceremonie; then doubtlesse, such cermonies by Maister *Calvins* doctrine, are grounded vpon Gods word, and

Note well this doctrine.

A generall ground for all our English ceremonies, out of M. Calvins doctrine.

and muſt bee obeyed, & receiued accordingly. I wiſh the Reader to marke theſe words of Maiſter *Calvin*: *Dei eſt, quatenus pars eſt decori*: It is of God, as it is a part of comelineſſe. I wiſh I ſay, the Reader to marke them well: becauſe they are of great importance, and doe proue the matter in controverſie moſt euidently. To which former wordes of M. *Calvin*, let vs now adde the wordes, which follow immediately in the ſame place. Thus doth hee write: *Ab hoc vno exemplo æſtimare licet, quid de toto hoc genere ſit ſentiendum.* By this one example (of kneeling,) wee may eaſily iudge, what is to be thought of all other ceremonie. Loe, thus the caſe ſtandeth; this ceremonie the church hath ordeyned, iudging it to pertaine to comelineſſe: *Ergo*, it is of God. No anſwere can be made, or deniall to vſe the ſame ceremonie: vnleſſe the partie ſo refuſing can proue for his excuſe, that ſuch a ceremony pertaineth not to comelineſſe, which can neuer bee prooued till the worlds ende. For all antiquitie, all Councels, all Fathers, all Hiſtories, are of the contrarie opinion.

Calvin. lib 4 inſtit cap. 10. § 30.

Vide infra, cap. 14 & notato valde per totum.

The third Aphoriſme of the Surpleſſe and other apparrel of the Miniſters.

THat which is already ſaid in the former Aphoriſme, is a ſufficient demonſtration of this queſtion, to all well affected Readers. Yet I am content to adde a word or two, for the helpe of the ſimple vulgar ſort.

Saint *Iohn* the Baptiſt did weare an vnwonted kinde of apparell, ſo to ſet foorth his extraordinarie Miniſterie, and the rather to moue the people to enquire of his office. And no ſound reaſon can be yeelded, why the ſame vſe can not this day be made of the diſtinct kinde of apparell in the Miniſters of the Church.

Mat. 3. Verſe. 4.

1. *Sam.* 28. *Samuel* the Prophet had a distinct kinde of apparell, from all the other people. For *Saul* was perswaded, that he whom the Witch had raised vp, was *Samuel* the Prophet. Which opinion, *Saul* conceiued onely vpon this ground, because the Witch named his attire. Yea, the Prophets were euer knowne from other men, by a distinct and peculiar kind of apparell. This to be so, the wordes of the Prophet *Zacharie* will declare, which are these; in that day shal the Prophets be ashamed euery one of his vision, when he hath propheſied; neither shall they weare a rough garment to deceiue. The Gloſſe in the *Geneva Bible*, yeeldeth vs this expoſition. They shall no more weare Prophets apparell, to make their doctrine seeme more holy.

Zach. 13. *Vers.* 4.

Caluin. in zachar. cap. 13. 4. Maister *Caluin* granteth freely, that the Prophets were distinguished from the people, by a peculiar kind of garment. These are his expresse wordes; *Hæc ſumma eſt, non reprehendi in pſeudoprophetis veſtem ipſam, quemadmodũ quidam parùm conſideratè arripiunt hunc locum, vt damnent & veſtes oblongas, & quicquid diſplicet eorum moroſitati.*

This is the summe, that this kind of garment was not reproued in the false Prophets, as some men doe rashly wrest this place to condemne long gownes, and whatsoeuer else doth not please their way-wardnesse.

Caluin in harmon. pag. 296. The same Maister *Caluin* in an other place, hath these wordes. *Sed ex Zacharia apparet prophetas certa pallij forma à reliquis fuiſſe diſtinctos. Nec verò ratione caruit, doctores ita veſtiri; vt in eorum habitu plus grauitatis & modeſtiæ, quã in vulgari, extaret.* But by *Zacharie* it is apparant, that the Prophets were distinguished from the rest of the people, by a certaine kind of cloake. And it was not without reason that the doctors were so attired, that in their habite there might be more grauitie and modestie, then in the vulgar people. Out of this doctrine thus deliuered by M. *Caluin* I obserue these worthy documẽts First, that it is expediẽt, ꝙ the ministers be known by their apparel. 2. that they are way-ward fellowes, that speake against varietie of garmẽts, in the ministers

niſters and people. Thirdly, that there is grauitie, & modeſtie, & conſequently comelineſſe, in the apparrell of Miniſters. This is a point of great importance, it may not bee forgotten. It is of ſuch moment, that it ſtriketh dead, and can neuer be anſwered. *Note this point well.*

S. *Hieromie* maketh this queſtion plaine and cleere. theſe are his words; *Quæ ſunt rogo inimicitiæ contra deum, ſi tuni cam habuero mundiorem: ſi epiſcopus preſbyter, & diaconus, & reliquus ordo eccleſiaſticus, in adminiſtratione ſacrificiorum candida veſte proceſſerint?* *Hieroni lib. aduerſ. pelagiam fol.124. tom.3.*

What enmitie (I pray you,) is there againſt God, if I doe weare a more cleanly garment? if a Biſhop, a Prieſt, or Deacon, and the reſt of the Clergie, be attyred with a white veſture, in time of devine ſervice? *Vide infra, ca.10. ex Bucero.*

Againe in an other place, the ſame auncient, holy, and learned Father, hath theſe expreſſe words; *Porrò religio divina alterum habitum habet in miniſterio, alterum in vſu vitæ communi.* *Hier. in Ezechiel. cap 44. fol. 257. tom. 5.*

Furthermore, divine religion hath one habite in the miniſterie, an other in common life and vſe thus writeth S. *Hieromie*: whoſe wordes in both the places, (if they bee aptly ioyned together,) wil make it euident to euery indifferent Reader; that in *S. Hieroms* time which was aboue one thouſand and two hundred years agoe,) the Miniſters of the Church did weare a Surpleſſe. For, in the former place he affirmeth, that the Miniſters of the Church did weare a white garment; and in the latter he ſaith, that they vſed one kinde of garment in the time of Gods divine ſeruice, an other in their common converſation. *Vide Ambr. de iis qui miſterijs imetiantur, cap.7 tom.4.*

M. *Bucer*, that famous, godly, and learned writer, in his reſolution to M. *Hopper*, concerning the wearing of garments in time of divine ſervice and Sacraments, hath theſe expreſſe wordes: *Conſtat dominum noſtrum* Ieſum Chriſtũ *ſubſtantiam tantum miniſterij, cum verbi tum ſacramentorum, ſuis verbis nobis præſcripſiſſe, & cætera omnia quæ ad decentem & vtilem adminiſtrationem myſteriorum eius pertinent, ordinanda* *Bucerus de re veſtiaria in ſacris, in epiſt. ad Iohan. Hopperum.*

nanda permisisse ecclesiæ. Vnde sacram cænam nos nec vesperi, nec in domo privata, nec discubendo, nec cum viris tantum celebramus. Sequitur; illa autem de loco, de tempore, de habitu corporis, ad sacram cænam vel celebrandam, vel sumendam; de admittendis & mulierculis ad sacræ cænæ communionem; de modo precum atque hymnorum ad deum ita etiam de vestitu & aliis rebus ad externum decorum pertinentibus: non dubito dominum ecclesiæ suæ liberam fecisse potestatem statuendi de his rebus & ordinandi quæ indicaverit quælibet ecclesia apud suum populum maxime collatura, ad sustinendam & augendam reverentiam erga omnia domini sacra. Si itaque aliquæ ecclesiæ ex hac libertate Christi, & ad hunc finem ædificandæ plebis Christi ministros suos vellent in sacris ministeriis aliquibus singularibus vestibus uti remota omni superstitione, omni levitate, omnig; etiam inter fratres dissensione, id est, abusu; tales certè ecclesias non video quis possit iure ob hanc rem condemnare vllius peccati, neanum communionis cum Antichristo. Quid si ecclesia aliqua pure & sancto suorum consensu eum morem haberet, vt singuli etiam ad cænam sacram, sicut olim recens baptizati agebant, veste alba vterentur? eam, inquam, libertatem, si quis contendat nulli ecclesiæ Christi esse permittendam, oportebit sanè fateri, vnum ex his; aut nihil omnino circa cænam domini ordinandum ecclesiis esse concessum, de quo non habeant expressum Christi mandatum quo pacto, condemnabuntur cunctæ ecclesiæ impiæ audaciæ. Nam omnes & tempus & locum, & habitum corporum in sacra cæna celebratione observant, admittuntque ad sacræ communionem mulieres: de quibus omnibus rebus, non solum nullum habent domini mandatum, sed etiam contrarium exemplum. Dominus, inquam cænam celebravit vesperi non manè; in domo privata non publica, discumbens cum suis, & sumpta cæna paschali non stans: & hanc solam sui communionem exhibens; denique exclusis mulieribus, quas habuit tamen inter discipulas suas sanctissimas. Aut fieri non posse, vt sint ecclesiæ, quas dominus eò vsque omni liberet suspicione & abusu bonarum creaturarum suarum, vt puris per veram fidem in nomen eius sint omnes Dei bonæ creaturæ, & vsu significationis purè: quod qui

dicat,

dicat, is certe negabit eo ipso Christum *dominum esse omnibus hominibus eum quem se promisit futurum omnibus liberatorem ab omni immunditia. Aut posse impios abusu suo bonas dei creaturas per se ita vitiare, vt nemini pio ad pium vsum queant deseruire, quod aperiè aduersatur testimonio spiritus sancti. Rom. 14. 1. cor. 8. & 9. 1. tim. 4. aut certè non licere Christianis res quaslibet disponere & ad admonendum creatoris sui, & nostri, eiusque in nos beneficiorum, atque nostrorum erga eum officiorum; id quod pugnat cum eo, quod spiritus sanctus passim docet de agnoscendo & colendo deo in omnibus operibus suis, & faciendo omnia in nomine domini nostri* Iesu Christi, *ad gloriam Patris.*

It is euident, that our Lord *Iesus Christ* hath prescribed to vs in his word, the substance onely of the Ministerie, both of the word, and of the Sacraments; and hath permitted his Church to order all other things, concerning the decent and profitable administration of his mysteries. Whereupon we celebrate the holy supper, neither at night, neither in priuate houses, neither sitting downe at the Table, nor with men onely, but touching the time, place, and habite of the bodie, either for celebrating or for receiuing the Holy supper: touching the admission of women vnto the Communion of the sacred Supper, and the manner of singing and praising God: touching apparrel also, & other things pertaining to externall comelinesse: I doubt not, but our Lord hath giuen free power to his Church, to order and dispose of those things, as euery Church shall iudge it to bee most profitable for her people, to support and increase reuerence toward all the holy mysteries of God. If therefore any Churches, vppon this libertie graunted by Christ, and for this ende of edifying *Christes* people, would haue their Ministers to vse in time of the holy Misteries, some speciall kinde of apparell: all superstition, levitie, & dissention or abuse being taken away: doubtles, *I* see not, how any man cā iustly condemne such a church of any sin in that behalfe, much lesse of communion with Antichrist. What if any Church with a pure and holy

holy consent of her children had such a custome, that everie one should vse a white vesture in time of the holy Supper, as the newly baptized ought in olde to doe: for, if any will contend, that ȳ libertie may not be granted to *Christes* Church, hee must doubtlesse confesse one of these: either that the Church hath no authoritie at all, to ordeine any thing touching the Lords Supper, whereof they haue not the expresse commandement of *Christ*, and so all Churches shall be condemned of impious audacitie, for all Churches obserue in the celebration of the holy Supper, both the time and place, and the attire of the body, and doe withall admit women to the holy Communion. Touching all the which, they haue not only no commandement of the Lord, but haue also a contrary example, for our Lord celebrated his Supper at night, not in the morning; in a private house, not in a publike place; sitting at the table with his Apoposstles, and eating the *Paschall*, not standing; and so exibited the holy Communion. Yea, the women were excluded, whom he reputed among his most holy seruantes. Either that it can not be, that there bee any Churches, which our Lord doth so free from all suspition and the abusing of his good creatures, that to the pure all the creatures of God be good through right faith in his name, and pure in the vse of signification; which whosoeuer shall say, hee doubtlesse must therevpon denie, that *Christ* our Lord is the deliuerer of all men from all vncleanneſse, as hee promised to be. Either that the wicked can by their abuse so pollute the creatures of God, which are good of their owne nature, that no godly man can vse them to a godly ende; which saying is enidently, against the testimonie of the holy Ghost. Or *certes*, that Christians can not lawfully dispose of all creatures, to put them in minde of their maker, and of our selues, and of his benefits toward vs, and of our duties toward him: which maketh against that, which the holy Ghost teacheth euery where, for the acknowledgement and worship of God in all his works, and for the doing

ing of all things in the name of our Lord *Ieſus Chriſt*, to the glory of his father.

Againe, in an other place hee writeth thus; *Porrò, dicere has veſtes per Antichriſti abuſum ſic eſſe contaminatas, vt nulli eccleſiæ, quantumvis aliqua Chriſtum ſuum & rerum omnium libertatem noſſet et coleret, ſint permittendæ religio ſanè mihi eſt, nec vllam video ſcripturam, qua poſſim iſtam bonæ dei creaturæ condemnationem tueri. Sequitur: ritum aliquem Aaronicum eſſe, vel Antichriſtianũ in nullis hæret dei creaturis, in nulla veſte, in nulla figura, in nullo colore, aut vllo dei opere; ſed in animo & profeſſione, bonis dei creaturis ad impias ſignificationes abutentium.* *Bucerus vbi ſupra.*

Furthermore, to ſay, that theſe garments and veſtures are ſo polluted by the abuſe of Antichriſt, that they may bee permitted to no Church, although ſuch a Church did both worſhip Chriſt, and know the libertie of all things, it is to me doubtleſſe a great ſcruple of conſcience: neither do I know any Scripture, by which I may defend this condemnation of the good creature of God, that any rite becommeth Aaronical or Antichriſtian, it is not grounded in any of Gods creatures, in any veſture or garment, in any figure, in any colour, or in any worke of God: but in the minde and profeſſion of them, who abuſe the good creatures of God to wicked ſignifications.

Thus writeth M. *Bucer* in this place, as he doth elſewher to the ſame effect. Out of whoſe wordes, *I* obſerue, *Vide Bucer. In 4 cap. ad Epheſ.*

First, that *Chriſt* hath onely preſcribed in his word, the ſubſtance of his holy worſhip. Secondly, that hee hath giuen power to his Church, to diſpoſe and order all other things, which concerne the decent and profitable gouernement and adminiſtration of his holy Myſteries. Thirdly, that the Church may appoint her Miniſters to weare ſpeciall garments, euen in the time of the holy Miniſterie. Fourthly, that ſuch garments may bee ordained, for decencie and for edification. Fiftly, that the vſe of ſuch garments, cannot be condemned by any Text of Scripture:

1 2 3 4 5

nor yet they iustly accused of any sinne, who appoint them
6 to be worne. Sixtly, that no abuse of man, Antichrist, or
the maister-divell of hell, can so pollute them, but they
7 may this day be lawfully vsed of the faithfull. Seventhly,
that the Church may ordaine ceremonies, for honest and
godly significations.

Conc. Carthag. 4. cā. 14. The auncient Councel of *Carthage*, (which was holden about the same time, and at which S. *Austin* was present,) hath these expresse words; *Vt diaconus tempore oblationis tantum, vel lectionis alba indnatur.* Let the Deacon weare a white garment; onely in the time of oblation and reading. Lo, the Deacons did weare Albes, Surplesses, or white vestures, (name them as yee list, so you agree in the thing it selfe,) aboue 1200. yeares agoe: and that, in the time of divine seruice. At this councell were present 214. Bishops, of which S. *Augustin* was one, and yet all these holy men, living in those dayes when no corruption of Religion had crept into the Church, affirme constantly with vniforme consent, that it was the custome of the Church, to weare white garments in time of divine seruice.

Beza in epist. 12. pag. 107. Vide eundem in confess. cap. 5. art. 17. in fine. M. *Beza*, in his Epistle to certaine Englishmen, demaunding his opinion touching the wearing of cappes and garments, aswel in the common vse as in the Ministerie and Church-seruice, answered in these wordes: *Respondemus, etsi ista nostro quidem iudicio non recte reuehuntur in ecclesiam, tamen quum non sint ex earum rerum genere, quæ per se impiæ sunt, non videri nobis illas tanti momenti vt propterea vel pastoribus deserendum sit potius ministerium, quàm vt vestes illas assumant; vel gregibus omittendum publicum pabulum, potius quàm ita vestitos pastores audiant.*

We answere, that albeit as we thinke, these things are not well brought into the Church againe; yet seeing they be not wicked or euill of themselues, and of their owne nature, they seeme not to vs to be a matter of so great moment, that therefore either the Pastors should forsake the Ministerie, rather then weare them, or the sheepe want their publique forrage, rather then heare their pastors so attyred.

The same *Beza*, in another Epistle to M. *Grindal*, then

Bishop

Biſhop of *London*, being demaunded, whether the Paſtors ought rather to refuſe the Miniſterie then to weare caps & ſurpleſſes, this cautele being added, that they are not made for any holineſſe, Religion, or worſhip, but for order and pollicie, anſwereth in theſe wordes: *Reſpondeo, minimè mihi videri deſerendas eccleſias propter veſtes aut pileos, aut aliquid eiuſmodi verè medium, & indifferens.*

Beza in Epiſt. 8. pag. 85. Vide infrà, cap. 10. ex Bucero & Zinglio, & nota valdè.

I anſwere, that in my opinion they ought not to forſake the Church for cappes & garments, or for any like thing, which is indifferent of it ſelfe indeed. Thus writeth M. *Beza*, when his counſell and opinion was required, concerning the wearing of the ſurpleſſe, and other Ceremonies in our Engliſh Church. Out of whoſe words, I note; Firſt, that M. *Beza* did not fully vnderſtand the ſtate of our Church: which *I* gather by the word, (*Revehuntur*) are brought into the Church againe. Where indeed, if true information had beene giuen, (let them looke vnto it, that report to forren countries, ſo ſiniſterly of their Soveraigne and natiue coũtries) he would haue iudged better of the caſe. Secondly, that the miniſters ought not to refuſe the miniſterie, nor to make ſuch cõtentiõ, for the wearing of ꝑ ſurples, & ſuch like things. Thirdly, that the cappe, ſurples, & the like ceremonies, are things truly indifferẽt of their own natures & in thẽſelues. Which point, if it be wel marked, wil make good the vſe of al ceremonies in our Engliſh church. To cõclude, M. *Beza*, in the end & cloſing vp of his Epiſtle, exhorteth our Engliſh brethren to obey the *Q. Maieſtie*, & all the Biſhops in the land. *Idq, ex animo*, and that ſincerely. Which counſel they neither followed then, nor yet do now follow the ſame; they ſeemed then willing, to reply vꝑ on his reſolution. But no man can pleaſe them, that ſpeaketh not *Placentia*, and as they ſhall appoint him to ſay and do.

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Epiſt. 12. pag. 112. Vide infra, cap. 14. membr. 2. per totum. & membr. 3. & 7. notentur Valde.

The Surples, Tippit, Cappe, and the like, are popiſh ceremonies, and haue beene prophaned by the papiſts, and therefore may not now be vſed.

1. Obiection.

I anſwere both with S. *Auſtin*, and with M. *Calvin*, to this inſoluble ſo ſuppoſed obiection; which indeede is

The anſwer.

of no force at all, to moue any man to disobey the lawes of the Church. S. *Austin* writing to *Publicola*, who desired to be resolved in such kinde of questions, hath these wordes;

August ad publicol. Epist. 154. Pag. 453.

Cum templa, idola, luci, & si quid huiusmodi data potestate evertuntur, quamvis manifestum est cum id agimus, non ea nos honorare sed potius detestari: ideo tamen in vsus nostros priuatos duntaxat & proprios non debemus inde aliquid vsurpare, vt appareat nos pietate ista discernere, non auaritia. Cum vero in vsus communes, non proprios ac priuatos, vel in honorem dei vere conuertuntur, hoc de illis fit quod de ipsis hominibus cum ex sacrilegis & impijs in veram religionem mutantur. Hoc deus intelligitur docuisse illis testimonijs quæ ipse proposuisti, cum de loco alienorum deorum iussit ligna ad holocaustum adhiberi. Et de Hiericho, vt omne aurum, argentum, & æramentum, inferretur in thesauros Domini.

Iudic. 6. ver. 25. 26. Ios. 6. 24.

When temples, Idoles, groues, and such like things, are by authoritie ouerthrowne, although it bee manifest, that when we doe that, we honour them not, but detest them; yet for all that, we may not therefore conuert them to our owne private vses onely and commoditie, that it may appeare that we destroy them for Religion-sake, and not for couetousnesse. But when they are not converted to our owne priuate vses, but into common vses, or to the honour of the true god; then that is done in them, which is done and brought to passe in them, which is wrought in men themselues, when of idolaters and wicked persons they are chaunged into true religion. This God himselfe taught in those testimonies, which thou thy selfe hast vsed; when hee commanded, that the wood of that grove which was dedicated to strange Gods, should be taken and vsed for his sacrifices. And of *Hiericho*, that all the gold, siluer, and brasse, should be brought into the treasurie of the Lord.

Calvin in 6 vod cap. 23. vers. 24.

M. *Calvin* is of the same iudgement, whose words are these; *Neq; n. nobis hodiè religio est templa retinere quæ polluta fuerunt idolis, & accommodare in meliorem vsum; quæ nos non obstringit, quod propter consequentiam legi additum est.*

eſt. Fateor quidem, quæcunque ad ſuperſtitionẽ fouendã ſpectant, è medio tollenda eſſe; modò ne præciſe vrgendo quod per ſe medium eſt, ſimus in nimio rigore ſuperſtitioſi.

For we this day make no ſcrupuloſitie of conſcience, to retaine ſtill thoſe Churches which were polluted with Idols: and to apply them to a better vſe, becauſe that which is added to the Lawe by way of conſequence, doth not bind vs. I graunt willingly, that all thoſe things which tend to the planting of ſuperſtition, ought to bee taken away, ſo that by preciſe vrging of that which is of it ſelf indifferent, we be not in too much rigour ſuperſtitious. Thus writeth Maiſter *Caluin.*

Out of theſe wordes of theſe two great learned Fathers, I note theſe worthy leſſõs, First, that things ſuperſtitiouſly abuſed, may be applied to the honour and ſeruice of God. 1
Secondly, that things which were ſuperſtitiouſly vſed, may after their application to a good and godly vſe, be reſembled to thoſe perſons, who of *Idolaters* are become good Chriſtians. 2
Thirdly, that God himſelfe hath taught this to be ſo, at two ſeuerall times in two diſtinct ſubiects. 3
First, when he commaunded the wood of the groues, which had beene dedicated to the falſe Gods, to bee applied to his owne vſe and ſacrifice. Secondly, when he appointed, that the gold, ſiluer, and braſſe, which had beene prophaned in *Hiericho*, ſhould be brought into the treaſurie of the Lord.
Fourthly, that our owne practiſe doth approue the ſame to be lawfull, while we retaine Temples abuſed by the *Papiſts.* 4
To which *I* adde, the keeping ſtill of Bels, Pulpits, Wine, ſtrong drinke, and good cheare. For all theſe haue beene, and this day are abuſed; not onely by the *Papiſts*, but euen by thoſe who liue among vs, and profeſſe themſelues to be of vs. And therefore, if wee will reiect the one ſort for abuſe, wee muſt alſo reiect all the reſt for the ſame reſpect. Vnleſſe perhaps it be a ſufficient anſwere, that our owne conceits neither grounded vpon authoritie nor reaſon, muſt teach vs what to doe in all reſpects.

Vide infra, cap. 10 ex Bucero.

The Reply.

Wine, ſtrong Drinke, Bels, Pulpits, and the like, are things of neceſſarie vſe, ſo are not Tippets, Caps, and Surpleſſes. Therefore the caſe is not like.

The Anſwere.

I anſwere: firſt, that we may liue without all thoſe things,
1 which in the prepoſitiō are holden for neceſſarie. Second-
2 ly, that not onely maiſter *Caluin* and S. *Auſten* ſpeake indefinitely and generally of all things abuſed, but the Browniſts and Martiniſts doe in their refuſal approue the ſame, *viz.* the things obiected are not neceſſarie, and therefore
3 they meet in woods, fields, and odde corners. Thirdly, that if the ſuperſtitious vſe of a thing, doe ſo change the nature of the ſame thing, that it can neuer be wel vſed againe, then doubtleſſe muſt we perforce reiect all things, which haue once bin prophaned and ſuperſtitiouſly vſed. Neither will it or can it ſerue our turne to ſay, this is neceſſarie, ſo is not
Rom. 3. v. 8. that. For as the Apoſtle ſaith; *Non ſunt facienda mala, vt inde eueniat bonum.* Wee muſt not doe euill, that good may come thereupon. But if the thing before indifferent in it owne nature, doe ſtil remaine indifferent, notwithſtanding
Vide infra, cap. 14. propoſitione. the abuſe, (as I haue alreadie proued it;) then may the lawful magiſtrate, and much more the Church with his authoritie and aſſent concurring, retaine ſtil ſome thing, & reiect other ſome, as it ſhall ſeeme moſt expedient, for the quiet and peaceable gouernment of the Church. For the Church hath free libertie and power to diſpoſe of all things, which are *Adiaphora*, indifferent of their own nature.

The 2. Reply.

It is againſt my conſcience to weare a Surpleſſe, to make the ſigne of the Croſſe in the childs forehead, and ſo forth. *Ergo* I may not doe it.

True

The Answere.

True it is, that whosoeuer doth any thing against his conscience, sinneth, though the thing he doth, be otherwise lawful to be done. Wherfore his onely remedie is this: either to reforme his erroneous conscience, or else peaceably, to giue place to the law, & not contentiously to withstand the law of his superiours, (to whō, vnder God he oweth obedience) and so to raise vp schisme & contention in the Church. But it is to be feared, that some pretend conscience, where onely pride beareth the sway. *Because forsooth*, they haue more rashly then wisely, Preached against the same ceremonies in former times?

The 3. Reply.

The reformed Churches in other countries, haue abolished such Popish ceremonies. Why therefore should we keepe them still in our Churches?

The Answere.

I answere; 1. that as some other Churches haue reiected some ceremonies, which we still retaine. 1
& so haue we reiected some ceremonies, which some other churches stil retaine. 2
Secōdly, that other churches are not to be condemned for reiecting such ceremonies, seeing they be no essentiall parts of religiō, so neither ought our Church to be euil censured for retaining thē; being things indifferēt in their own nature. 3
Thirdly, that many things are conuenient for some places, persons, and times, which for all that are very preiudicial, and nothing beseeming nor befitting other persons, times, and places; many things good for one cōmon-weale, which are too too hurtfull for an other; many things conuenient for the gouernment of one Church, which would quite destroy the state and pollicie of an other. Euery Church therefore hath her freedome, power, and authoritie, in all things indifferent; to make constitute, and ordaine such lawes, as shal be thought most expedient for the good thereof. This assertion is proued at large in the Seuenth Chapter, throughout all the Aphorismes therof. To which place I referre the reader, for better satisfaction in this behalfe. *Vide infrà, cap. 10. ex. Bucero.*

The

The 2. Obiection.

Deut.7. Vers.25. The grauen *I*mages of their Gods ſhall yee burne with fire, and couet not the ſiluer and gold that is in them, nor take it vnto the, leaſt thou be ſnared therewith, for it is an abomination, before the Lord thy God.

The Anſwere.

Aug. in ep. 154. pag. 453. I anſwere; firſt, with S. *Auſten* in theſe wordes; *Satis apparet, aut ipſos priuatos vſus in talibus eſſe prohibitos, aut ne ſic inde aliquid inferatur in domum, vt honoretur. Tunc n. eſt abominatio & execratio, non cum talibus ſacrilegijs honor apertiſſima deſtructione ſubuertitur.* It appeareth ſufficiently, that either priuate vſes be forbidden in ſuch things, or elſe that nothing ſhould ſo be brought into thine houſe, that it be honoured. For then is it abomination and execration, not when together with the Idolatrie, the honour is alſo euidently ouerthrowne. Secondly, that this was a politicall Lawe, giuen onely to the *I*ewes for a time; and conſequently, that wee Chriſtians are not ſtrictly bound to the ſame. The ignorance whereof, hath brought many into many groſſe errors. *I* therefore note heere by the way, for the benefit of the well affected and thankfull Reader, that the Lawe of *Moſes* was threefold. *viz.* ceremoniall, iudiciall, and morall; whereof the morall part doth this day onely remaine in force with vs Chriſtians, as which is indeed the very Lawe of nature, imprinted in euery mans heart in his natiuitie, and ſo cannot be altered or changed. But the ceremoniall part was ordained, to prefigure the miniſterie of Chriſt then to come; and the iudiciall part was ſemblably appointed, for the conſeruation of iuſtice among the *Iewes*. And conſequently, as they both pertained to that time and that people onely, ſo were they both expired by the aduent of our Lord *I*eſus. This Saint *Paul* teacheth to be

ſo;

so; where he telleth vs, that the *Priest*-hood being translated, the Lawe must also of necessitie haue a change. Hence commeth it first, that where one could not by that Law, be condemned vpon the testimonie of one man, but of two at the least, hee may this day bee condemned lawfully vpon one mans oath, where the Lawe of the Realme doth so appoint. Where *I* cannot but greatly admire them, who seeme to condemne such Lawes, by vertue of the iudiciall Lawe of *Moses*. For the morall part onely being now in force, the other can haue no place. *But* the morall and naturall part, (marke well my wordes,) doth onely require this, *viz.* that great care and circumspection be had in iudgement, and that none bee condemned vniustly. Touching the number of witnesses, the Lawe of nature is silent, and leaueth that point as *Arbitrarie* to the of man. Hence commeth it. Secondly, that blasphemers, adulterers, & such like malefactors, are this day suffered to liue in many Christian kingdomes, and that thing is permitted, without any transgression of Gods lawe in that behalfe, *For* the Lawe of nature doth onely require this, *viz.* that sinne be so punished, as standeth best with the peaceable gouernment of the common-weale. Touching the quantitie and kind of punishment, it saith nothing at all. Hence commeth it. Thirdly, that the intailing of lands is lawfull this day among Christians, although some haue more audaciously then wisely, auouched the contratie in open *Pulpit*. It is therefore most prudently and right Christianly prouided in the Cannos of *Anno.* 1604. that none shall bee permitted to *Preach* without Licence. Hence commeth it. *Fourthly*, that the true owners may for good causes and considerations lawfully sell their landes and inheritance, and others lawfully buy the same, howsoeuer some without all testimonie of *Scriptures*, Councels, or *Fathers*, doe peremptorily *Preach* against the same. I will for charitie sake heere conceale, what to my griefe and the scandall of many, hath out of open *Pulpit* sounded in mine eares. Hence cōmeth

Hebr. 7. *Vers.* 12.

1

Deut. 19. *Vers.* 15.

Vide infra, cap. 15. *& notato.*

2

3

4

5 it fiftly, that *F*athers may giue their lands lawfully to any of their children; either to the yongeſt, or to any of the reſt, or to the *C*hurch, Hoſpitals, kinſfolkes, or meere ſtran, gers, ſo it be done for good reſpects, and godly conſiderations for the Law of nature requireth no more of Parents, concerning Goods, lands, and poſſeſſions, but this onely thing; that they bring vp all their children in true faith, holy feare, and humble obedience, and prouide competently for their honeſt mainteinance and ſuſtentation. If any ſhal hold the contrarie, hee will giue occaſion to ſet all the land

6 together by the eares. Hence cõmeth it Sixtly, that ſundry cuſtomes in this land; *viz.* where brethren inherite together as ſiſters at the common lawe, and the youngeſt ſonne before the eldeſt, are not vnlawfull, the like may be ſaide of many other points in the iudiciall Lawe, and to this preſent obiection. *F*or the naturall part of this iudiciall Lawe, doth onely require this of vs: *viz.* that we keepe our ſelues from Idolatry, and from doing any honour or worſhip to the ſame. Maiſter *Caluin* doth not diſſent from this mine expoſition, concerning the text alledged in the obiection. *T*heſe are his expreſſe words, *Quamvis autem politicum hoc fuerit præceptum, & tantum veteri populo ad tempus datum, ex eo tamen colligimus quàm deteſtabilis ſit idolatria, quæ ipſa etiam dei opera ſua fœditate inficit.* Although this were a politicall precept, and giuen onely to the Iewes for a time, yet may we gather therof, how deteſtable a thing Idolatry is, which with the filth thereof infecteth the very workes of God. Loe, this precept was onely giuen to the *I*ewiſh people, and endured but for that time; and ſo, as it is iudicial, it doth not this day touch vs that be *C*hriſtians at all.

Caluin. in. 7. deut. v. 25.

Maiſter *Muſculus* iumpeth with M. *Caluin*, for the truth of this queſtion. *T*heſe are his expreſſe wordes. *Hactenus oſtendimus abrogandam fuiſſe legem Moſaicam per adventum Chriſti, & novæ legis introductionem, iam conſequenter videndũ eſt, quatenus ſit abrogata. Sequitur quærũt, an tota ſit abrogata? reſpondemus, ſi totus Moſes ceſſit Chriſto, vtique tota illius lex*

Muſculus de legib. pag. 140.

ceſſit

ceſſit legi Chriſti. Hitherto we haue ſhewed, that the Law of *Moſes* muſt be abrogated by Chriſts aduent, & by the introduction of the new law. Now we haue to conſider conſequently, in what ſort it is abrogated. The queſtion is asked, if it be wholy abrogated, (or onely in part?) we anſwere, that ſeeing *Moſes* himſelfe gaue place wholy vnto Chriſt, the Lawe doubtleſſe of *Moſes* muſt likewiſe giue place wholy to the Law of Chriſt.

The Reply.

But maiſter *Caluin* ſaith plainly, that Idolatry infecteth the very workes of God with the filth thereof. Therefore things once applied to Popiſh ſuperſtition and Idolatrie, can neuer thenceforth be lawfully vſed.

The Anſwere.

I haue proued alreadie, out of M. *Caluins* own wordes; that we may vſe things lawfully, which haue bin abuſed to Idolatrie; as Temples, Pulpits, and ſuch like. Neither doth maiſter *Caluin* ſay here, that ſuch things are polluted in themſelues; but that they are ſo called in reſpect of the people, ſo to terrifie them the more from Idolatry. For theſe are his wordes immediately going afore; *Reſpondendum eſt, aurum vel argentum impio abuſu minimè fuiſſe vitiatum, ſed quamvis omni macula in ſe careret, populi reſpectu fuiſſe pollutum. Talis fuit animalium immundities; non quod in ſe quicquam haberent inquinamenti, ſed quoniam deus eorum eſu interdixerat.* I anſwere, that the gold or mony was not defiled with the impious abuſe thereof; but albeit it was without all blemiſh in it ſelfe, yet in reſpect of the people it was polluted. Such was the vncleanneſſe of the beaſts (in the lawe;) not for that they had any pollution in themſelues, but becauſe God had forbidden to eate them. Loe, M. *Caluin* granteth freely, that they are ſtill indifferent in their owne nature, as they were afore. *Supra, in 1. Obiect.*

The 3. Obiection.

There is no order in them, but confuſion, no comelineſſe, but deformitie; no obedience, but flat contempt of God and his word. *Vide infra, cap 8. per totum.*

The Answere.

1 I answere; first, that *I* haue alreadie proued sufficiently, that there is grauitie, modestie, and comelinesse, in the apparell of our Ministers, and that as well in their common
2 life, as in the time of their ministration. Secondly, that it is not euery priuate mans part to define, decide, and appoint; what is order and comelinesse in things indifferent, and the external gouernment of the Church, but that pertaineth to them onely, to whom God hath committed the managing of his house. Which point is likewise proued aboundantly in the Chapters aforegoing.

The 4. Aphorisme, of ceremonies vsed in Wed-locke or marriage.

IN the solemnization of Matrimonie, two things are much reproued; *viz.* the Ring, and the simbolicall signification. To the former I answere, that seeing Wed-locke is a vissible ciuill contract, there is great reason, that it should be assured with some ciuill, permanent, and externall signe. Hereupon the Church, (which hath authoritie to ordaine ceremonies, as is alreadie proued,) doth appoint a round Ring, as a ceremonie best beseeming such a contract. For the Ring being round and without end in it selfe, is very fit and meete to signifie to the married couple; that they ought to be ioyned in the perpetual band of loue, the one to the other.

Ephes. 5. To the latter I answere semblably, that S. *Paul* may as iustly be reproued therein, as the *Church of England*. For after he hath discourssed at large, of the high misterie of matrimonie, affirming the husband and the wife to be one flesh; hee foorthwith addeth, that hee speaketh of the great

great misterie betweene Christ and his Church. Which symbolicall signification, is approued by Saint *Austin*, *S. Chrysostome*, *S. Ambrose*, *S. Hierome*, and many others. It shall suffice in this so cleere a case to alleage S. *Ambrose* his words for all the rest. Thus doth hee write; *Mysterij Sacramentum grande in vnitate viri ac fœminæ esse significat, sed aliam causam quæ non discordet a memorato mysterio flagitat, quam scit ad profectum humani generis pertinere, hoc est ecclesiæ & salvatoris: vt sicut relictis parentibus homo vxori suæ adhærèt, ita & relicto omni errore ecclesia adhæreat & subijciatur capiti suo, quod est Christus.*

Ambr. in 5. cap ad Ephe. Vide Aug. tract. 9 in Iohã Pag. 58. tom 9.

He signifieth, that there is a great mysterie in the vnitie of the wife and her husband. Neither doth hee reveale this onely, but he also requireth an other cause, which differeth not from the said mysterie, which hee knoweth to appertaine to the profit of mankinde; that is of the Church and of our Saviour. That as man forsaking his parents, adhæreth to his wife, so the Church leauing all errour, must adhære and be subiect to her head, which is *Christ*.

Bucerus in censura minister. eccles. Zanchius in 5 cap. ad ephes. pag. 416.

M. *Bucer*, approveth and highly commendeth euery ceremonie, which our church vseth cõcerning holy wedlock.

Hieronimus Zanchius a most zealous and learned writer, singeth the same song with Saint *Ambrose*. These are his words; *Talis fuit eductio* Evæ *ex latere* Adæ *dormientis. Item, coniunctio* Evæ *cum* Adamo *in matrimonium. Res in se fuit visibilis & sub sensum cadens, sed aliam occultam representabat, eductionem & creationem ecclesiæ ex latere Christi in cruce mortui, & vnionem ecclesiæ cum* Christo.

Note well the next Aphorisme, ex Bucero.

Such was the eduction of *Eve* out of the side of *Adam*, when he was a sleepe. So also was the coniunction of *Eve* with *Adam*, in the matrimoniall contract, the thing in it selfe was visible and subiect to our sence; but it did represent another secret thing, euen the eduction and creation of the Church out of Christes side being dead vppon the Crosse, and the vnion of the Church with Christ.

The fift Aphorisme, of the Symbolicall signe vsed in the confirmation of Children.

IT is greatly disliked and highly reprooued, that our Bishops doe lay their hands vpon children, to certifie them by this signe of Gods fauour towards them. To which I answere, that the fact and vsage of our Bishops in confirming children, is according to the practise of the church in al former ages; and therefore ought it not, either to bee so lightly reiected, or so rashly condemned. *S. Cornelius*, writing to his brother *Fabius*, sheweth evidently, how one *Novatus* being baptized in his bed, regarded not after his recoverie the rest of the ceremonies, whereof he should haue bene partaker according to the rule of the Church; no, not so much as to be sealed or confirmed by the Bishop, & for that cause did he not receive the holy ghost. Now, this *Cornelius* liued above 1100. yeeres agoe, at what time the church was free from all herisies, errours, & superstition. And yet did the church even then vse to confirme children, in the selfe same maner now vsed in our English Church.

Eusebius lib. 6. Hist. cap. 35.

Cornelius vixit. An. 454.

S. *Augustin* deliuereth the custome of the Church in his time, in such golden & excellent words; as I verely thinke he is able to satisfie every one, that shall with a single eye and vpright iudgement, all parcialitie set apart, duely ponder the same. These are his words; *Numquid modo quibus imponitur manus vt accipiant spiritum sanctum, hoc expectatur, vt linguis loquātur? aut quando imposuimus manus istis infantibus, attendit vnusquisq; vestrum, vtrū linguis loquerentur? & cùm videret eos linguis non loqui, ita perverso corde aliquis vestrū fuit, vt diceret; non acceperunt isti spiritum sanctum; nā si accepissent, linguis loquerentur quēadmodum tunc factum est? si ergo per hæc miracula non fiat modo testimonium præsentiæ spiritus sancti vnde fit, vnde cognoscit quisq; se accepisse spiritum sanctum? interroget*

August. in Epist Iohannis tract. 6. tom. 9. Pag. 422.

roget cor ſuum, ſi diligit fratrem ſpiritus Dei manet in illo.

Is it this day expected, that they ſpeake with tongues, vpon whō the Biſhop hath laid his hands, that they ſhould receiue the holy Ghoſt? or when we impoſed hands, vpon Infants, did euery one of you marke, if they ſpake with tongues? and when he ſawe they ſpake not with tongnes, was then any of you ſo waywardly affected, as to ſay; they haue not receiued the holy Ghoſt; for if they had, they would ſpeake with tongues, as it came then to paſſe. If therefore we haue not the teſtimonie of the preſence of the holy Ghoſt by miracles, how knoweth euery one, that hee hath receiued the holy Ghoſt? Let him diſpute the matter with his owne heart, and if he loue his brother, the ſpirit of God abideth in him. Thus write theſe holy Fathers, ſhewing plainly vnto vs the practiſe of the Church in their dayes, and that the holy Ghoſt is giuen in confirmation; as alſo that the impoſition of hands is a ſigne thereof in Gods children, though not giuen in ſuch miraculous manner, as in the Apoſtles-time.

Vide infra, cap. 14. memb. 2. in fine ex Zuinglio.

Saint *Hieronie* teacheth the ſelfe ſame doctrine, which *Cornelius* and Saint *Auſtin* haue deliuered. Theſe are his words: *Quod ſi hoc loco quaeris, quare in eccleſia baptizatus, niſi per manus epiſcopi non accipiat ſpiritum ſanctum, quem nos aſſerimus in vero baptiſmate tribui; diſce hanc obſervationem ex ea authoritate deſcendere, quod poſt aſcenſum domini ſpiritus ſanctus ad Apoſtolos deſcendit. Et multis in locis idem factitatum reperimus, ad honorem potiùs ſacerdotij quàm ad legis neceſſitatem.*

Hierony adverſus Lucifer. tom. 3. fol. 63. B.

If thou heere demaund, why hee that is baptized in the Church, receiueth not the holy Ghoſt but by the hands of the Biſhop, which wee ſay is giuen in true baptiſme; learne this obſervation to deſcend of that authoritie, becauſe after our Lords aſcention, the holy Ghoſt came downe vpon the Apoſtles. And wee finde the ſame obſerved in many places, rather for the honour of Prieſthood, then for neceſſitie of the Law.

M. Bucer

Bucerus in 4. cap. ad Ephes.

M. *Bucer*, that great learned Doctor, is very consonant to the auncient fathers herein. These are his expresse wordes; *Signum impositionis manuum etiam episcopi soli præbebant, & non absque ratione. Sive n. sit fœdus domini baptizatis confirmandum; Sive reconciliandi ij, qui grauius peccarunt; Sive ecclesijs ministri ordinandi; hæc omnia ministeria maximè decent eos, quibus summa ecclesiarum cura demandata est.*

Vide infra, cap. 10. & nota resp. ad 2. obiect.

The signe also of imposition of hands, was giuen by the Bishops onely, and that not without reason. For whether the baptized were to be confirmed with the couenant of the Lord: or they who had sinned grieuously, were to bee reconciled; or Ministers were to bee ordeyned vnto Churches: all these Ministeries doe especially pertaine vnto them, to whom the cheifest charge of the Church is committed. Thus writeth learned *Bucer*, shewing most evidently vnto all indifferent Readers: that imposition of hands in the confirmation of children, was an auncient and laudable ceremonie, and that it pertained onely to the Bishops to administer the same, and that vpon great reason. Let these words of M. *Bucer*, (*& non absque ratione*, and not without reason) be well marked, and neuer forgotten.

Vide Ambros. de sacram. libr. 3. cap. 2.

M. *Fulke*, a late famous writer, (who was a great fauourer of the Presbyterie, and of good credite with the chiefest Patrons thereof,) hath these expresse wordes: The auncient ceremonie of imposition of hands, which is nothing else (as S. *Austin* saith,) but prayer over a man to be strengthened & confirmed by the holy Ghost, or to receiue encrease of the gifts of the holy Ghost, (as S. *Ambrose* saith,) we do not in any wise mislike, but vse it our selues. Lo, this godly, zealous, and learned writer granteth freely, that confirmation is an auncient and godly Ceremonie: which to be so, he proueth out of S. *Austin* and S. *Ambrose*. Yea, he addeth the approbation of this Church of *England*, reckoning himselfe for one of the number and members thereof. We doe not (saith he,) in any wise mislike it, bvt vse it our selues. What then may we, or can we say or thinke, of the

the proude *Browniſts*, ſaucie *Barrowiſts*, and arrogant *Puritans*? Who, either through ignorance of the practiſe of the auncient Churches, and for want of knowledge in the eccleſiaſticall Hiſtories and Councels; or elſe (which is farre worſe,) vppon a ſingular *Philautia*, and fond admiration of their owne fanſies and conceits; doe moſt arrogantly and raſhly cenſure and condemne all others, both old and moderne writers, which will not embrace their phantaſticall imaginations, and receiue the ſame as the decrees of the holy Ghoſt. *Certes*, I wonder, that they are not aſhamed of themſelues. For, it can with no reaſon bee denied; that God by the hartie and earneſt prayers of his Church, doth worke thoſe effects in thoſe children which bee his, whereof the impoſitions of hands is a ſigne.

The Reply.

The Church hath not authoritie to inſtitute, either Sacraments, or ſacramentall ſignes.

The Anſwere.

I anſwere; Firſt, that our Church doth neither ordeine Sacraments, nor yet any ſacramentall ſignes; but doth only explaine and declare the effect, purport, and true meaning of that ſigne, which the Apoſtles vſed in that behalfe. Secondly, that the Church hath power to ordeine Ceremonies in things indifferent, for edification, order, & comelineſſe; and conſequently, to expreſſe and declare the ſame by fit ſignificant wordes. Which thing I haue proued at large in the ſeuenth Chapter, by the vniforme teſtimonie of S. *Ambroſe*, whoſe words are theſe: *Accepiſti poſt hæc veſtimenta candida, vt eſſet indicium quod exueris in volucrum peccatorum, indueris innocentiæ caſta velamina.*

Vide infrà cap. 14. *& nota memb.* 2. *&* 3. 2

Afterward thou didſt receiue a white veſture, to ſignifie that thou art deliuered from the ſnare of ſinne, and art clad with the vaile of innocencie. *Bucerus*, *Zuinglius*, and *Hemingius*, doe all 3. approue this cuſtome of the Church.

Maister *Bucer* hath these words; *Et hic admodùm commodus ritus esse videtur, si modo quid ista omnia significent, populo subinde explicetur.* This also seemeth to bee a very fit Rite, so the people bee sometime taught, what all these things do signifie. Here he graunteth, that Ceremonies may be appointed for signification sake. Let this bee remembred well, and not forgotten.

Bucerus in censura minist: eccl.

The sixt Aphorisme, of the signe of the Crosse, vsed in Baptisme.

IT is a thing so cleare and euident by all ecclesiasticall Histories, that the heathen obiected to the Christians in reproch, that the God in whom they beleeued, was hanged on the Crosse; as none but either tootoo wilfull, or tootoo ignorant, will or can denie the same. In regard whereof the church in all ages, even in the Primitiue and Apostolique time, so to nourish and keepe among them the memorie of their redemption wrought vpon the Altar of the crosse, & to make it known to *Iew*, *Gentile*, and all the world, that they were not ashamed of the true humilitie of their Saviour in that most ignominious kinde of death, which he voluntarie suffered for their sinnes; did institute, and ordaine the comely and most christian vsage of the signe of the Crosse, & that all christians in their first ordinarie and vsuall vnion with Christ by holy Baptisme, should receiue for that ende and purpose, the signe of the Crosse in their fore-heads. Hereupon the holy Fathers of best approved antiquitie, S. *Cyprian*. Saint *Basill*, *S. Augustin*, *S. Hierome*, *S. Chrysostome*, and all the rest, make mention of the like vsage of that most comely christian badge, every where in their most learned workes. Yea, the most holy and best learned fathers, doe proue the same vse out of holy Scriptures. Saint *Cyprian* hath these expresse words; *Omnem autem super quem signum scriptum est, ne tetigeritis. Quod autẽ sit hoc signum, & qua in parte corporis positum, manifestat alio in loco Deus, dicens; transi per mediam*

Cyprian ad ad Demetrianum, propè finem.

Hieru-

Hierusalem, & *notabis signum super frontes virorum qui ingemunt & mœrent ob iniquitates, quæ fiunt in medio ipsorum.*

Euery one vpon whom the signe of the Crosse is made, shall be free and vntouched. And what signe this is, and in what part of the body it is made, God sheweth in another place, saying; Passe through the midst of *Hierusalem*, & make a signe vpon the fore-heads of them that mourne, and cry for all the abhominations that bee done in the middest thereof. In which place, the same holy Father and Martyr of *Iesus Christ*, proueth that signe to pertaine to the future passion of *Christ Iesus*, out of another place of holy writ. These are his wordes; *Quod autem occiso agno præcedit in imagine, impletur in* Christo *secuta postmodum veritate.*

Ezech. 9. Verse 4. Exod. 13. verse 12. Vide eundē Cyprian. libr. 4. epist. 6

That which went before in figure, euen the Lambe which was slaine: is fulfilled in *Christ*, the veritie that followed after the same.

S. Austin, in the disputation betwixt the Synagogue and the Church, alledgeth against the *Iewes*, this very Text of *Ezechiel*, for the confirmation of making the signe of the Crosse in the fore-heads of Christians. *Vellem addiscere, vbi signum frontis acceperis, vel quis propheta signum istud quod dicis, hoc est, signū frontis signaculo sanctificationis inciderit.* I would learne saith the Synagogue, where thou receiuedst the signe of the fore-hed, or which of the Prophets maketh mention of that signe of which thou speakest, calling it the signe of sanctification in the fore-head. To this question S. *Austin* answereth in the person of the Church, proving it out of the 9. of *Ezechil*, as S. *Cyprian* had done afore him; as also out of the Reuelation, in the 14. Chapter, hee vseth an excellent and large discourse against the Synagogue; to which for brevitie-sake, I referre the Reader.

S. Aug. de altere. eccles. & synagoga. tom. 6. pag. 57

Ezech. 9. v. 4.

The same S. *Austin* in an other place, hath these expresse words; *Insultet ille* Christo *crucifixo, videam ego in frontibus regum crucē* Christi. *Sequitur; vsq; adeo de cruce nō erubesco, vt non in occulto loco habeā crucē* Christi; *sed in fronte portem.*

August. in ps. 141. pag. 1125.

Let the Pagan deride *Christ* crucified, but let mee beholde his Crosse in Kings fore-heads. I am so farre from being

being aſhamed of *Chriſtes Croſſe*, that I keepe it not in a ſecret place, but doe beare it in my fore-head. Marke well, gentle Reader, this godly period of this auncient, bleſſed, and learned Father.

Hier. in cap. 9. Ezech. tom. 5.

S. *Hierome* in like manner, proueth the lawfull making of the Croſſe in the fore-heads of the Chriſtians, out of the ſame words of the Prophet *Ezechiel*. Thus doth he write; *Et vt ad noſtra veniamus, antiquis hebræorũ literis quibus vſq; hodiè vtuntur Samaritani, extrema Thau litera crucis habet ſimilitudinem, quæ in Chriſtianorum frontibus pingitur.*

And to come to our owne, in the olde Characters and Letters of the *Hebrewes*, which the *Samaritanes* vſe to this day; the laſt Letter which is *Thau*, hath the image or ſimilitude of the Croſſe, which is made in the fore-heads of Chriſtians.

Beda, in apo. calyp. cap. 7.

S. *Beda* likewiſe gathereth the ſame concluſion, out of diuers places of the ſcripture. Theſe are his words; *Ad hoc. n. gentium confractum eſt imperium, vt ſigno fidei cui reſtiterant, facies ſanctorum liberè notaretur. Sequitur; neq; n. fruſtra in fronte pontificis nomen domini tetragrammaton ſcribebatur, niſi quia hoc eſt ſignum in fronte fidelium.* For in this ſigne the dominion of the Gentiles was ouerthrowne, that the faces of Saints might be marked with the ſigne of *Faith*, which the Gentiles had reſiſted.

Thus write the auncient and holy Fathers; out of whoſe words, I obſerue; Firſt, that the making of the ſigne of the Croſſe in the fore-heads of chriſtians, is grounded vpon the holy ſcripture. Secondly, that it was the cuſtome of the Church, to vſe the ſigne of the croſſe in their dayes; that is to ſay, aboue 1315. yeares agoe. To which I adde, that the ſame vſage was the cuſtome of the church, in the time of *Origen* and of *Tertullian*; that is, almoſt 1400. yeares agoe. And no maruell, ſeeing it was an Apoſtolicall tradition. If any hold the contrary, let him name the time, and the Author; and if I cannot proue a further antiquitie, I will be of his opinion. Thirdly, that thoſe holy Fathers,

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2

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Saint

(Saint *Cyprian*, Saint *Auſten*, Saint *Hierome*, Saint *Beda*) did reioyce to beare the ſigne of the Croſſe in their foreheads. And conſequently, that a Chriſtian needeth not be aſhamed now adaies, to beare the ſame badg in his forehead. If I ſhould ſtand to recount the teſtimonies of the holy Fathers, for the confirmation of the lawfull vſe and making of the ſigne of the Croſſe; I ſhould both wearie my ſelfe, and be tedious to the Reader. I will therefore conclude with the iudgement of Maiſter *Zanchius*, whoſe onely verdit me thinkes, ſhould be ſufficient in this behalfe. Theſe are his expreſſe wordes. *Alia vero traditiones non ſunt neceſſariò retinendæ in eccleſijs, etſi vetuſtæ & a patribus commemoratæ; vt quod chriſtianum oportet ſigno crucis frontem munire, diebus veneris & ſabbathi ieiunare. Nam etſi ſervari poſſent, ſi abſque ſuperſtitione exercerentur, tamen conſcientiam non obligant. Sequitur, ſumma igitur & concluſio hæc ſit, eas traditiones, quæ dei verbo conformes, & ad vſum eccleſiæ animoſque hominum ad pietatem & verum dei cultum excitandos accommodatæ ſunt, etiamnum retinendas & vſurpandas eſſe, citra tamen ſuperſtitionem & opinionem meriti.*

Maiſter Bucer in censura, graunteth the vſe to be moſt ancient, and to be both comely and profitable.

Zanchius in compendio, pag. 654.

Ibidem, pag. 657.

The Church is not bound of neceſſitie, to retaine ſtill. Other traditions, although they be auncient, and mentioned by the Fathers: as that a Chriſtiã muſt make the ſigne of the Croſſe in his forehead, and faſt vpon Friday and Saterday. For although theſe ceremonies and traditions might be ſtill retained and kept, if that were done without ſuperſtition, yet for all that, they doe not bind a mans conſcience to keepe them. Let this therefore be the ſumme and concluſion, that ſuch traditions as agree with the word of God, and ſerue for the Churches vſe, and to ſtirre vp mens mindes to pietie and the true worſhip of God, may this day be ſtill retained and vſed, ſo it be done without ſuperſtition and opinion of merite. This is the concluſion of the moſt learned Doctor, Maiſter *Zanchius*, and I ſee no reaſon, why it ſhould not be my concluſion alſo. And conſequently, I doe conſtantly affirme with him, that the ſigne

Vide infra, cap. 10. ex Bucero, Zuinglio, & Hemingio, propè finem capitis.

of the Crosse may this day be vsed lawfully; so it be not ioyned with superstition, and opinion of merite. Let this be well obserued; that *Zanchius* graunteth freely, that the signe of the Crosse may bee made, and that euen in the forehead. For, it is the very case now in question, and constantly affirmed by *Zanchius*; that it may bee well vsed, though it may also bee laide away. To which latter, both I and the Church of *England* doe willingly agree with him. But withall I say, that seeing it is a ceremonie indifferent, and may lawfully bee vsed; it is not in the power of a priuate subiect, to appoint or commaund to lay it away; but peaceably, louingly, and obediently, to admit and receiue the same; knowing and euer remembring, that in all things lawfull, higher powers must be obeyed.

Vide tu Heminginm, in syntagm in. 4 lege decalogi, & notate.

Vide infra. cap. 10. ex Bucero, & nota valde.

Rom. 13. Vers. 1

CHAP. IX.

Of the Election of Ministers.

Supra, cap. 7.

I Haue proued alreadie, that the church hath authoritie to make decrees, lawes, ordinances, and constitutions, in all things which are *Adiaphora* indifferent in their owne nature, and tend to the peaceable gouernment of the Church. For the church of God may safely admit, diuers formes and orders wherby it may bee gouerned; according to the diuersitie of the state thereof, and variable circumstances of times, places, and persons. The same liberti and freedome is granted to the Church, in the Election of her Ministers. This veritie may easily be proued, by foure reasons of great importance: *viz.* By apostolicall practise, decrees of auncient Councels, the testimonie of the holy Fathers; and the consent of best approoued late Writers.

The

The first Reason, drawne from the practise of Christ and his Apostles.

CHrist himselfe, as his holy Gospell teacheth vs, did of himselfe alone without the consent and voices of his people, both call and choose his Apostles. And in like manner, himselfe alone did cal & choose his disciples, who he sent abroad to Preach the Gospell, into euery citie and place, whither he himself should come. But most certain it is, that we are bound to imitate Christs facts & deeds, before all other mens. For euery his action, is and ought to be our instruction. For this cause doth the Apostle exhort the *Ephesians*, and in them all other Christians, to be followers of God, as deare children. And the same Apostle willeth vs to be followers of him, euen as he followed Christ.

Mat. 10. *Verse.* 1. *Luke.* 10. *Verse.* 1. *Ephes.* 5. *Vers.* 1. 1. *Cor.* 11. 1.

The Apostles themselues in their Elections of ministers, did not euer obserue one and the same manner. For, in one place we reade, that they presented two, *Barsabas* & *Matthias*, whereof the one was chosen by *Lots*. In an other place, we find that this course was altered. For the people presented seuen to the Apostles, who all were chosen without *Lots*, & vpon whom the Apostles also laid on their hands. Wee reade in an other place, that this forme was likewise changed, and that the Apostles *Paul* and *Barnabas*, ordained ministers in euery citie, in which ordaination they neither obserued casting of Lots, nor yet any presentment by the people. We find in an other place, that S. *Paul* Elected and ordained both *Timothy* and *Titus*, and gaue them authoritie to ordaine others. Hereupon I inferre this euident conclusion, that there is no certaine forme prescribed for the Election of ministers, which is to be obserued for euer in the Church, but that euery Church is free to change the same, according to the circumstances of times, places, and persons. Which doctrine wil better appeare, when I shal come to the fourth Reason.

Act. 1. 26. *Act.* 6. 3. *Act.* 14. *V.* 23. 1. *Tim.* 5. 2. *tim.* 1. *v.* 6. *Tit.* 1. 5.

The-

The second Reason drawne from the Decrees of auncient councels.

Concil. Laodicen. can. 13. THe Councell of *Laodicea*, holden in the yeare of our Lord 370. hath these wordes, *Non est permittendum turbis electionem eorum facere, qui sunt ad sacerdotium promovendi.* The people may not be permitted, to haue the Election and choise of them, who are to be preferred, to the Ministerie of the Church.

Concil Cabilon. can. 10. The Councell of *Cabilon* hath these wordes. *Si quis episcopus de quacunque civitate fuerit defunctus, non ab alio, nisi a comprovincialibus, clero, & civibus suis, alterius habeatur electio. Sin autem huius ordinatio irrita habeatur.* If any Bishop shall dye, of what citie soeuer he be, let not an other be chosen by any other, saue onely by the Citizens, Cleargie, and bishops of the same prouince, If it be done otherwise, the ordination shall be of no effect. The Councell of *Antioch* teacheth the selfe same Doctrine.

Conc. antich. can. 19.

Conc. 2. Nicen. can. 3. & nic. 1. can. 4. The councell of *Nice*, after it hath pronounced the Election of the people to be voide and of none effect, addeth these wordes. *Oportet, n. eum qui est promovendus ad episcopatum, ab episcopis eligi.* For, he that shall be made a *Bishop*, must be chosen of the *Bishops*. And this second Councell of *Nice* alledgeth the first Councell of *Nice*, vpon which they ground this their Decree. This reason therefore is consonant to the former, that there is no certaine prescript rule, for the Election of the Ministers of the Church.

The third Reason drawne from the Testimonie of the holy Fathers.

Hierom. ad Evagr. tom. 3. Fol. 150. A. SAint *Hierome* in his Epistle to *Evagrius*, hath these expresse wordes; *Nam & Alexandriæ a Marco evangelista vsque ad Heraclam & Dionisium episcopos, presbiteri semper vnum ex se electum in excelsiori gradu collocatum, episcopum nominabant.*

nominabant. For at *Alexandria* from *Marke* the Euangeliſt vntill the *Biſhops Heraclas* and *Dioniſius*, the paſtorall Elders did alwaies chooſe one among them, whom they placed in an higher degree, and called him Biſhop. Marke theſe words well. Saint *Hierome* ſaith heere, that the *Prieſts* or *Paſtorall* Elders did in Saint *Markes* time, (which was in the time of the Apoſtles,) chooſe one of themſelues to be their *Biſhop*. He maketh no mentiō at al, of any intereſt that the people had in that Election. *Vide infra, cap. 14. memb. 2. & 3. per totum.*

He that can and liſt, may reade in the Eccleſiaſticall Hiſtories, that when *Auxentius* the *Arian* was depriued of the *Biſhopricke* of *Millan*, then *Valentinianus* the Emperour called the *Biſhops* together, and willed them to place ſuch a one in that *Biſhopricke*, as was fit for the place. Which motion of the Emperour did no ſooner ſound in the eares of the *Biſhops*, but they forthwith humbly requeſted the Emperour, that he himſelfe would chooſe one whom hee thought moſt meete in that behalfe. Yet the Emperour both gravely, prudently, and moſt Chriſtianly anſwered, that it were much better for them to chooſe one, for that they were beſt able to iudge and diſcerne, of his meetneſſe for that place. *In* the ende, the good Emperour ſeeing the people tumultuouſly deuided about the Election, was content to interpoſe his authoritie, and to commaund *Ambroſe* to be ordained Biſhop there. Theſe are the wordes of Theodoretus. *Hac diſſenſione cognita, Ambroſius vrbis præfectus, veritus ne qui à novarum rerum molirentur propere ad eccleſiam cōtendit. Illis ſeditione compreſſa vno ore omnes poſtulant, vti Ambroſius, qui adhuc ſacris Baptiſmi miſterijs non erat initiatus ipſis deſignetur epiſcopus. Quare audita, imperator iubet illum egregium virum extemplò & initiari, & epiſcopum ordinari.* *Theodor. lib. 4. hiſt. cap. 6.*

So ſoone as this diſſention was knowne, *Ambroſe* the gouernour of the Citie, fearing leaſt they ſhould raiſe ſome new tumult, commeth with ſpeede vnto the Church. The people beholding him made an end of their variance, and

all with one aſſent deſired, that *Ambroſe* not as yet *Baptized* with the holy Lauer, might bee deſigned their *Biſhop*. Which when the Emperour heard, hee commaunded, that forthwith that worthy man ſhould be *Baptized*, and then created their *Biſhop*. Thus writeth this auncient and learned father.

1 Out of theſe wordes *I* obſerue firſt; that in the time of *Theodoret*, (who liued almoſt 1200. yeares agoe,) the people had voices in the Election of the Miniſters of the
2 Church. Secondly, that ſuch vſage of popular Election, was the cauſe of great tumults and ſedition in the Church.
3 Thirdly, that it was lawfull for the *Biſhops*, to haue kept the authoritie and intereſt of Election in themſelues.
4 *Fourthly*, that the confirmation of *Biſhops*, was then in the
5 power of the Emperour. *Fiftly*, that it greatly skilleth not who doe choſe, ſo fit men be choſen for the places.

Euſeb. lib. 6. cap. 7. hiſt. eccleſ. *Euſebius Ceſarienſis* affirmeth conſtantly, that two excellent *Biſhops* in *Paleſtine*, *Theoctiſtus* Biſhop of *Ceſarea*, and *Alexander* Biſhop of *Hieruſalem*, did of themſelues make the famous Doctor *Origen* Miniſter of the Church. Many like teſtimonies, are euery where to be found in the hiſtorie of the Church, but I ſtudie to be briefe.

The fourth Reaſon, drawne from the vniforme conſent of late Writers.

MAiſter *Caluin*, whoſe onely teſtimonie were ſufficient in this diſpute,) is ſo plaine and reſolute, that whoſoeuer ſhall with iudgement and indifferencie peruſe his Doctrine, cannot but yeelde vnto mine opinion in this behalfe. Theſe are his expreſſe wordes; *Eſt quidem & illud (fateor) optima ratione ſanctum in Laodicenſi concilio, ne turbis electio permittatur. Vix. n. vnquam euenit, vt tot capita vno ſenſu rem aliquam benè componant.*

Caluin inſt. lib. 4. cap. 4 §. 12.

This I confeſſe, was with very great reaſon decreed in the

the councell of *Laodicea*, that the Election should not bee permitted to the common people. For it is very seldome or neuer seene, that so many heads can agree to conclude any matter well. Loe, this great learned man, (who was the greatest patron of the new discipline,) graunteth freely and roundly, that the Church may change the maner of election, and consequently, that no one certaine kind of election, is *de iure diuino*, decreed by Gods law to be perpetuall.

Againe in an other place, the same Doctor hath these wordes; *Verum in cæteris consentanea fuit ipsorum obseruatio; cum Pauls descriptione. In eo autem quod tertio loco posuimus, quinam scz. ministros instituere debeent, non vnum semper tenerunt ordinem.* But in all the rest, their obseruation was agreeable to the discriptiō of the Apostle. And touching the third point, who ought to choose the Ministers, they did not alwaies obserue the same order. Loe, the maner of chusing the Ministers, was not the same in euery place, but varied according to the circumstances of times and places, as seemed best to euery Church. *Caluin. inst. lib. 4. cap 4. §. 10.*

Vide supra, cap. 7 per totum.

Maister *Beza* is so plaine in this controuersie, (though he be deemed one of the chiefest patrons of the *Presbyterie*) that I thinke his words indifferently pon de-ed, will sufficiently confirme mine opinion, and the Doctrine *I* defend. These are his expresse words; *Quoniam plerumque multitudo & imperita est, & intractabilis, & maior pars sæpe meliorem vincit, ne in democratia quidem legitimè constituta, omnia permissa sunt effreni vulgo; sed constituti sunt ex populi consensu certi magistratus qui plebi præeant, & inconditam multitudinem regāt. Quod si hæc prudentia in negotijs humanis requiritur, multo sanè magis opus est certa moderatione in ijs rebus, in quibus homines prorsus cæcutiūt. Neq; causa est, cur quisquā sani iudicij homo clamitet, nullū hic esse prudētiæ locū, niſi hanc prudētiā de qua loquor, ostendat cum dei verbo pugnare, quod sanè non arbitror. Sequitur: neque. n. simpliciter spectandū, quid sit ab apostolis factum in politia ecclesiastica, quum diuersissimæ sint circumstantiæ, ac proinde absq; Cacozelia non possint omnia omnibus locis* *Beza in confession. cap. 5. art. 35. & art. 17. in fine.*

Vide infra, cap. 14. per tota, & notum valde, membr. 2. & 3.

ac temporibus ad vnam eandemque formam revocari, sed potius spectandus est eorum finis & scopus invariabilis, & ea deligenda forma ac ratio rerum agendarum, quæ rectà eo deducat.

Because the multitude is for the most part ignorant and intractable, and the greater part doth often preuaile against the better; there cannot bee found euen a popular state lawfully appointed, where all things are committed to the vnruly multitude, but certaine magistrates are appointed by the consent of the people to rule them. If this prudence must be had in humane affaires, much more is a moderation required in those matters, wherein men are altogether blinded. Neither is there any cause, why any man of sound iudgement should exclame, that in such a case there is no place for pollicie; vnlesse he can shewe this pollicie whereof *I* speake, to bee repugnant to the word of God, which I thinke he can neuer doe. For we must not alwaies looke, what the Apostles did in Church gouernment, seeing there is so great diuersitie of circumstances, that a man cannot without prepostrous zeale reduce all things in all places and times, to one and the selfe same forme; but it is sufficient, if respect be had to their end and purpose, which is not variable, and that manner and forme in Church-matters be vsed, which leadeth directly thereunto. Thus writeth Maister *Beza*.

• *Absque* Cacozelia.

Vide supra, cap. 7. aphor. 3. rat. 3.

Out of this Doctrine, which maister *Beza* hath freely deliuered to our consideration, I obserue these worthy documents; which *I* wish the gentle Reader, to keepe alwaies in his good remembrance. 1 First, that the common people are ignorant and intractable, and so vnfit to beare 2 any sway in matters of great moment. Secondly, that in worldly matters the vnruly multitude are euer gouerned 3 by others, in euery well managed common-weale. Tirdly, that a greater care must be had in Church-gouernment, and that the vulgar sort must haue lesse dealing therein. 4 Fourthly, that no wise man will or can denie, that the

Church

Church muſt vſe great pollicie in theſe affaires. Fiftly, that no priuate man may ſpeake againſt the Churches pollicie, vnleſſe hee can prooue the ſame to bee againſt the word of God. Sixtly, that the Church is not alwayes bound to follow that in her pollicie and gouernment, which the Apoſtles did practiſe in their time. Which ſixe points, if wee ſhall ponder them ſeriouſly; we can not but finde our Engliſh church gouernment, to bee agreable to Maiſter *Bezas* doctrine. Who, I verely thinke, if he were here and did behold the ſame, would with applauſe ſubſcribe therevnto. 5 6 *Vide ſuprà cap. 7.*

M. *Bullenger*, a man of high eſteeme in Chriſts church, hath theſe wordes; *Quamobrem hinc efficitur, eccleſiam habere poteſtatem & mandatum eligendi miniſtros. Hoc autem facere poteſt vel tota eccleſia, vel fidi homines ab eccleſia ad hoc electi, prout commodius, vtilius & ad pacem conſervandam aptius videtur, pro locorum, perſonarum & temporum ratione. Nam cuncta hæc ad* Pauli *regulam dirigenda ſunt vt omnia decenter & ordine fiant. Sequitur; ita* Paulus & Bernabas *preſbyteros ſeu miniſtros elegerunt in eccleſiis* Aſiæ. *Et* Titus *in* Creta, & Timotheus *in* Epheſi, *eccleſiarum miniſtros ordinarunt. Habent autem iſti quam poteſtatem, ex eo quod a tota eccleſia delecti ſunt, quæ ex verbo dei poteſtatem & mandatum habet eligendi eccleſiæ miniſtros.* *Bullenger. aaverſus & Anabapt. libr. 3. cap. 4.*

Wherfore hence it commeth, that the Church hath power and commandement to chooſe Miniſters. And this commiſſion may be performed, either by the Church her ſelfe wholy, or by ſome faithfull perſons choſen by the Church, to this ende and purpoſe; as ſhall be thought more conuenient, profitable, and fit for the peace of the Church, regard being had to the places, perſons, and times. For all theſe things muſt bee referred to Saint *Pauls* rule, that all things may be done decently and in order. So *Paul* and *Bernabas*, chooſe Miniſters in the Churches of *Aſia*. So *Titus* chooſe Miniſters in *Creta*, and *Timotheus* chooſe paſtorall Elders at *Epheſus*. And theſe perſons haue authori- *Vide cap. 11. ex Muſculo, & nota valdè*

ritie so to doe, because the whole church hath chosen them therevnto; which by Gods word hath power and commission, to choose the ministers of the Church. Thus writeth this famous Doctor. Out of these wordes, I obserue these
1 golden Lessons. First, that the authoritie to choose and e-
lect the ministers of the church, pertaineth vnto the whole
2 church. Secondly, that the church hath this libertie and power granted to her; either to choose them her self by general voices of all, or else to appoint some special persons for
3 that ende and purpose. Thirdly, that the manner of elec-
ting church-ministers may be chaunged, as the circumstan-
4 ces of times, persons, or places shall require. Fourthly, that
5 this varietie of election, is grounded vpon Gods word. Fiftly, that *Paul*, *Barnabas*, *Titus*, and *Timothens*, did of themselues choose the ministers of the church; and consequently, that the manner of electing church-ministers this day vsed in the church of *England*, is agreeable to the word of God, and also to the Apostolique practise of the Primitiue church. For our Bishops doe not exercise any authoritie at all, saue that onely, which the whole church assembled in Parliament, did by vniforme assent committed vnto them.

The first Obiection.

Cypr. lib. 1. epist. 4. S. *Cyprian* telleth vs, that the people haue interest in the Election of Ministers, which was giuen them by diuine authoritie. Ergo, it is not in mans power, to take away that freedome from them.

The Answere.

1 I answere; First, that S. *Cyprian* meaneth nothing else by diuine authoritie, but divine examples; not any divine precept, commanding it so to be done, *Viz.* that there are examples in the Scripture, by which wee may learne, that the common people were present at the election of the Ministers, to giue testimonie to the church of their life and conuersation; as witnesses of their honest behauiour, not

as Iudges of the *Election*. This my anſwere is grounded vpon S. *Cyprians* owne words, which I proue ſundry wayes. *Num.* 20. 1. *v.* 2. 7. *Act.* 1. *act.* 6. First, becauſe he proueth his aſſertion onely by examples; *viz.* For that *Eleazar*, *Matthias*, & the 7. Deacons, were choſen in the ſight & preſence of the people. Now we know, that examples onely ſhew what may be done; but they are not a law, which doe or can commaund a thing of neceſſitie to bee done. *Chriſt* miniſtred the holy Euchariſt after Supper, but wee doe it before dinner. The Apoſtles receiued it ſitting, but wee take it kneeling. *Chriſt* miniſtred it in vnleauened bread, but wee in bread that is leauened.

So we ſee a great diſparitie, betwixt examples and precepts. The former doe inſtruct vs; but not compell vs; the latter doe not onely teach vs, but they alſo commaund vs. *Vide inferius, cap.* 14. *memb* 2. & 3. & nota valde cap. totũ. Againe, becauſe S. *Cyprian*, hath theſe words; *Quod & ipſum videmus de divina authoritate deſcendere, vt ſacerdos plebe præſente ſub omnium oculis deligatur, & dignus atq; idoneus publico iudicio ac teſtimonio comprobetur.*

Which thing wee ſee deſcends from diuine authoritie, that the Prieſt may bee choſen when the people are preſent, in the eyes of them all; that he may be proued worthy, by publique iudgement and teſtimonie. And a little after, he ſheweth more plainly the cauſe, why the people are preſent at elections. *Et Epiſcopus deligatur plebe præſente, quæ ſingulorum vitam pleniſſimè novit.* And that the Biſhop may bee choſen in the preſence of the people, who know beſt what euery mans life hath beene. Thirdly, becauſe S. *Cyprian* confeſſeth in that very place, that ſome Prouinces had an other cuſtome, whom hee reproueth not.

I anſwere ſecondly, that if the Antecedent bee admitted, and wee alſo graunt the peoples intereſt to be, *De iure divino*; yet can nothing be inferred therevpon, againſt the practiſe of the Church of *England*. The reaſon is euident, becauſe nothing is done in our Churches of *England*, to which the people haue not yeelded their aſſent, as is alreadie proued. 2

The

The 2. Obiection.

The example of the Apoſtles, ſaith M. *Calvin*, is to vs *Vice præcepti*. Ergo, wee may not chaunge, or depart from their practiſe in any wiſe.

The Anſwere.

I anſwere; firſt, that I haue proued the contrary, both out of Maiſter *Calvin* and M. *Beza*: yea, M *Calvin* himſelfe granteth freely, that Chriſtes owne practiſe may bee chaunged: and that in a matter of greateſt moment, euen in the bleſſed Euchariſt. Theſe are his owne words: *Nihil a Chriſti conſilio ac voluntate alienũ facere videri, qui non contemptu neque temeritate ſed ipſa neceſſitate adacti, pro vino aliua in iis regionibus vſitata potionis genus vſurparent. Hoc domini Calvini reſponſum, vt optima ratione nixum, & Chriſti conſilio conſentaneum, noſter cœtus adeo comprobavit, vt eos ſuperſtitioſè facere cenſuerimus, qui a vini ſymbolo vſq; adeo penderent, vt alterã cœnæ partem omittere mallent, quã* Analogon *aliud ſymbolum, ita cogente neceſſitate, vſurpare.*

Calvin. epiſt. 25 apud Bezam. Pag. 167.

M. *Calvin*, (ſaith M. *Beza*,) anſwered to his brethren in *America* which haue no wine, that they ſhould not doe contrary to Chriſtes will and meaning, who not vpon contempt, but conſtrained with neceſſitie, would vſe inſteede of wine, ſome other kinde of drinke vſuall in that countery. Which counſell of M. *Calvin* our congregation did ſo well like, as grounded vppon good reaſon, and agreeable to Chriſtes counſell, that we iudged them to be ſuperſtitious, which did ſo depend vpon the Symbole of wine, that they had rather omit the one part of the Supper, then to vſe vpon neceſſitie, an other Symbole proportionable vnto wine. This was M. *Calvins* opinion, in this important and moſt weightie affaire.

M. *Beza* likewiſe deliuereth his iudgement, in another ſubiect

subiect of like moment. These are his expresse words;

Secundi generis sunt ipsa signorum materia, & nonnullorum rituum a domino institutorum forma; vt exempli gratia, panis & vinum sunt cœnæ signa ex Domini institutione. Vbi igitur panis aut vini, vel nullus est vsus, vel nulla certo tempore copia, num cœna Domini nulla celebrabitur? Imò ritè celebrabitur, si quod panis aut vini vicem, vel ex vsu communi vel pro temporis ratione supplet, panis aut vini loco adhibeatur. Hæc. n. mens fuit Christi, *quum panem ac vinum ad hæc mysteria deligeret, vt propositis earum rerum signis quibus corpus nostrum alitur, veram alimoniam spiritualem velut ob oculos representaret. Itaque a* Christi *sententi a nihil aberrat, qui nullo prorsus novandi studio pro pane & vino substituat, quæ etsi non parem, similem tamen alimoniæ analogiam habeant. Desit etiam aqua & tamen baptismus alicuius differri cum ædificatione non possit, nec debeat; ego certè quovis alio liquore, non minus ritè quam aqua baptizarim.*

Of the second kinde are the matter of the signes, and the forme of certaine Rites which our Lord ordained; as for examples sake, bread and wine, are the signes of the Supper, by our Lords owne institution. Where therefore there is either no vse at all of bread and wine, or else great want for a time, shall we celebrate no Supper of the Lord? Yea, it shall bee celebrated aright, if that bee taken in the place of bread and wine, which either by common vse, or in regard of the time, is vsed in the stead of bread or wine. For this *Christ* intended, when he chose bread and wine for these mysteries; that by proposing before our eyes, the signes of those things with which our bodies is nourished, he might represent the true foode of our soules. Therefore he swarueth not at all from *Christes* meaning, who hauing no desire of innovation, vseth in stead of bread and wine, those things, which though they haue not equall, yet haue they like proportion of nourishment with bread and wine. There wants also water, and yet Baptisme neither ought nor can be differed with edification; my selfe doubtlesse

would baptize in any other liquor, no leſſe lawfully then I would in water. This is maiſter *Bezaes* iudgement, euen in the eſſentiall parts of the Sacraments.

Out of this doctrine thus deliuered by theſe two learned Doctors, *M. Calvin*, and *M. Beza*, I obſerve theſe
1 moſt important documents. Firſt, that the authoritie of the church is ſo great, that it can alter the matter of the Sacraments, both of Baptiſme and the Lordes ſupper, if credit may be giuen to theſe great Doctors doctrine.

2 Secondly, that the vſe of the Lords Supper and of *Baptiſme* is of ſuch neceſſitie, that this chaunge may and ought to be admitted, rather then wee bee defrauded of the benefite thereof.

3 Thirdly, that neither the practiſe of the Apoſtles, nor the examples of *Chriſt*, nor yet *Chriſtes* owne inſtitution: No, not in the matter of Sacraments, is of ſuch force and moment; but that the church vpon good and neceſſarie cauſe, may alter and chaunge the ſame. And conſequently, it muſt needes be graunted, neither can it with any colour of reaſon bee denied; that the Church may chaunge the maner of chooſing her miniſters, as neceſſarie circumſtances of times, places, and perſons ſhall require. Eſpecially, ſeeing there is neither example, commandement, or inſtitution of *Chriſt* to the contrarie.

CHAP. X.

Of the ordeining of Miniſters, and the Ceremonies thereto apperteining.

THat Biſhops haue and euer had authoritie, to make, order, and admit Miniſters of the Church; it is ſo cleere and euident, by the Scriptures, Councels, Fathers and continuall practiſe of the Church, that I cannot but admire their

their audatious temeritie, that doe oppugne the same. Marke well the answers, to all the Obiections in this Chapter.

Saint *Paul* chargeth. Bishop *Timothie*, not to lay his hands rashly on any man. And the same Saint *Paul* telleth vs, that he left Bishop *Titus* at *Creta*, that he might order and make ministers in euery towne. 1. *Tim.* 5. *V.* 22. 2. *tim.* 1. 6. *tit.* 1. 5.

Now, that *Timothie* and *Titus* ordained Ministers, it is cleere by the Text it selfe. But two doubts remaine; The one, whether *Timothie* and *Titus* had more authoritie then other common Ministers, or not. The other, whether they alone ordained Ministers or with the ioynt-authoritie of others. *Vide supra* cap 5.

Touching the former, *I* haue prooued alreadie by many testimonies, that both *Titus* and *Timotheus* were Arch-bishops, and had superioritie ouer many other Bishops.

I will heare adioyne the testimonie of *Hemingius*, whose wordes are these: *Attamen Paulus gradu dignitatis & ordine Timotheo & Tito erat superior. Timotheus gradu & ordine excelluit reliquos Ephesinæ vrbis presbyteros. Et Titus Cretensibus præerat. Sequitur, inter hos ministros agnoscit etiam ecclesia nostra gradus dignitatis & ordines, pro diuersitate donorum, laborum magnitudine, ac vocationum dignitate ac iudicat barbaricum esse, de ecclesia hunc ordinem tollere velle. Iudicat cæteros Ministros suis episcopis oportere obtemperare in omnibus, quod ad ædificationem ecclesiæ faciunt, iuxta verbum dei ac vtilem ecclesiæ œconomium. Iudicat episcopos ius habere in cæteros ministros ecclesiæ, non despoticum sed patrium.* *Hemingius in enchir.* pag. 367. p. 372. p. 367. p. 373.

But *Paul* in deegree and order of dignitie, was superiour to *Timothie* and *Titus*. *Timothie* in degree and order, excelled all other Presbyters or *Priestes* of *Ephesus*; and *Titus* was gouernour ouer the *Cretions*. Among these Ministers, our Church also acknowledgeth degrees of dignitie, & orders, according to the diuersitie of

giftes, labours, and calling: and deemeth him to bee a plain rudesbe, that once hath but a minde to take this order out of the Church. Our Church alſo iudgeth, that all other Miniſters muſt obey their Biſhops, in all things which pertaine to edification, according to the word of God, and the profitable diſpenſation of the Church. Shee iudgeth that the Biſhops haue a ſoueraigntie ouer all other Miniſters of the Church; yet not deſpoticall, but paternall.

Act. 1 act 6. act. 14 tit. 1. 5. 2. tom. 1. 6.

Touching the latter, the ſcripture is plaine, that none but Biſhops did ordaine Church-miniſters at any time. And theſe *Fathers* of the Church affirme cõſtantly, that this was a ſpeciall & knowne prerogative of Biſhops; that they, and none but they, could order and make Miniſters of the Church. S. *Hierome* hath theſe evident & expreſſe words; *Quid enim facit excepta ordinatione Epiſcopus, quod preſbyter non faciat?* For what doth a Biſhop, which a Prieſt doth not, the ordering of Miniſters excepted? Loe in this one thing, doth a Biſhop differ from *Prieſts* and inferiour Miniſters; becauſe no other Miniſter, ſaue onely a Biſhop, can ordaine and make Miniſters of the Church.

Hieron. epiſt. ad Evagr. tom 3. fol. 150. B.

Epiph. cont. her lib. 3. to 1. her. 75. Pag. 296.

Saint *Epiphanius*, (who liued aboue one thouſand and two hundred yeares agoe,) affirmeth plainly, that Biſhops onely make Prieſts, that is, begetteth fathers to the Church; and both he and Saint *Auſtin* enrolled the contrarie opinion among flat hereſies, cenſuring all them for Heretiques, that held or defended ſuch abſurdities.

Irenæus, lib. 3. cap. 3. libr. 5. cap. 2. pag. 589.

Saint *Irenæus*, (who liued next to the Apoſtles, and ſo could not bee ignorant, what was the Church-practiſe in their dayes,) maketh this my doctrine without queſtion, and beyond all exception; that *Biſhops* euen in the Apoſtolique time, were different in degree from Prieſts, and did create and make Prieſts, but neuer were created of Prieſts.

No, no: if Prieſts could make Prieſts: or if it were not an Apoſtolicall tradition, that that charge doth appertaine onely to Biſhops, (as it is this day laubably obſerued in the

the Church of *England*, then doubtlesse, *Aerius* could neuer haue beene censured for an Heretique. Adde hereunto, that which I haue alreadie deliuered, in the fift Chapter, in the first and second Paragraph; and thou shalt finde this Doctrine, to be agreeable to the practise of Christs church in all former ages. See *Zanchius*, and note well his wordes. Note well also the Answere to the second Obiection. *Supra, cap. 5. §. 2.*

The first Obiection.

It appeareth by Saint *Hierome* in his Epistle to *Euagrius*, that one minister was made superiour to an other, onely by the ordinance of men.

The Answere.

I answere; First, that Saint *Hierome* calleth that mans ordinance, which was done by the Apostles immediately, for that they were men indeed, as we our selues are. Secondly, that superiority of one Minister ouer and aboue an other, was in the Apostles time, and proceeded from authoritie apostolicall. This is alreadie proued. Thirdly, that a thing may bee called *de iure diuino*, a diuine institution or ordinance, two waies. First, becausse it is of God immediately. Secondly, for that it is of them, who are so directed by Gods holy spirit, that they cannot erre. This phrase of speach, Saint *Paul* vseth in these wordes, to the remnant I speake, and not the Lord. Where we may not doubt, but all that Saint *Paul* spoke, was from the Lord, and that his ordinance was diuine, and not meere humane. And in this sense, the superioritie of Bishops ouer other inferiour Ministers of the Church, may bee called *De iure diuino*, or an ordinance diuine. Saint *Hierome* calleth it an humane ordinance, rather then Diuine; becausse it was *De iure diuino* onely in *genere*, and mediately, and *De iure humano in specie*, and immediately. 1 2 3 *1. Cor. 7. Vers. 12.*

The second Obiection

In the primitiue Church, there was neither Arch-bishop, Patriarke, nor Metropolitan, and yet no Church did or can excell the same, in gouernment, beautie, or perfection,

The Answere.

1 I answere; First, that though in the very beginning of the primitiue Church, there were no Arch-bishops, Patriarches, or Metropolitans; yet were such very shortly after,
2 euen in the time of the Apostles, as is alreadie proued. Secondly, that though Arch-bishops, and Metropolitans were not expressely named, yet were they equivalently im-
3 plyed in the Apostles. Thirdly, that as the Church for a time wanted Arch-bishops and *Bishops*, so did it also want Deacons and vnpriested Elders. And as the defect of the latter, did not argue the imperfection of the Church for that time; so neither did the want of the former, inferre any
4 such necessarie consequence. Fourthly, that as the Church had authoritie, for the circumstances of times, places, and persons, to ordaine Deacons, and vnpriested Seniours, (if any such euer were,) so also had it then, and this day hath like authoritie to ordaine Arch-bishops, and other Ministers of the church, for the common good, vnitie, and peace of the same. Whosoeuer shall read attentiuely, Maister *Bullingers* wordes against the Anabaptists of his time, shall finde and perceiue very euidently, that hee constantly defendeth this my opinion and doctrine.

Vide & nota Bullinger. supra cap. 9. paulò ante obiect. 1.

Bucerus in 4. cap ad ephes. vide eundem sup. cap. 8. & nota val. de.

Maister *Bucer* maketh this case most euident, whilest hee sheweth the libertie, freedome, and authoritie of the Church, in these most pithy and golden wordes; *At vero de cæteris signis quæ in sacris adhibita sunt a veteribus, vel hodie adhibentur a multis, vt sunt ignis ad exorcismos & catechismos, & alba vestis baptizatorum, sacer*

cer panis qui dabatur catechumenis, & pleraque alia, sic sentio. Si qua ecclesiæ essent, quæ puram Christi tenerent doctrinam, & sinceram servarent disciplinam, hisque signis uterentur simpliciter & purè, absque omni superstitione vel levitate, præcisè ad pias admonitiones easque probè omnibus intellectas; eas ecclesias non possem equidem propter signorum talem usum condemnare. Sequitur; hinc fit, ut homines sicut in privatis & publicis actionibus faciunt, ita utiliter etiam pleraque signa adhibeant sacris ceremoniis. Iterum ibidem; signum impositionis manuum etiam episcopi soli præbebant, & non absque ratione. Sive enim sit facta domino baptizatis confirmandum: sive reconciliandis, qui graviùs peccarunt, sive ecclesiis ministris ordinandis hæc omnia ministeria maximè decent eos, quibus summa ecclesiarum cura demandata est.

Touching all other ceremonies, which were vsed of ancient time in the holy misteries, or are this day in vse with many; as fire to Exorcismes and Catechismes, the white garment of the Baptized, holy bread giuen to the Catechumenes, and many other things, my opinion is this, if there were any Churches, which retained pure doctrine and sincere discipline, and did vse these signes and ceremonies simplely and purely, without all superstition or leuitie, precisely to godly admonitions well vnderstood of all the people; I verily could not condemne those churches, for the vse of such signes or ceremonies. Hence it commeth, that as men doe in priuate and publique actions, so also may they adde many signes vnto their holy ceremonies, and that not without profit. The signe also of imposition of hands, was giuen by Bishops onely, and that not without reason. For whether the baptized were to bee confirmed with the couenant of the Lord, or they, who had sinned grieuously, were to be reconciled, or Ministers were to be ordained vnto Churches, all these ministeries doe especially partaine vnto them, to whom the chiefest charge of the church is commited.

Note well this point and doctrine, delivered by this great learned man.

Out

Out of theſe golden wordes of this great learned Doctor, and renowned Writer, I obſerue theſe worthy leſſons.

1 Firſt, that in the auncient approued Churches were many Miniſteries, with which inferiour Miniſters (then called Prieſts, as our Church this day vſeth the ſame names,) had

2 not to doe withall. Secondly, that onely Biſhops (who were ſuperiours in degree,) could make, order, and conſecrate Prieſts, and other inferiour Miniſters of the Church.

3 Thirdly, that onely Biſhops, and not Prieſts, did confirme the baptized, by impoſition of hands. Which thing our *Engliſh* Church doth this day lawdably obſerue, howſoeuer ſome mal-contents, more raſhly then wiſely impugne the ſame. Fourthly, that the Church hath authoritie to con-

4 ſtitute ſymbols, ſignes and ceremonies, and to adde them

5 vnto the holy miſteries. Fiftly, that we may not condemne thoſe Churches, which for godly conſiderations without ſuperſtition, doe vſe ſuch ſignes and ceremonies, as were not knowne or heard of in the primitiue Church. Oh that this doctrine were well marked, and remembred; for then doubtleſſe all diſſention would ceaſe, and all mal-contents would yeeld obedience, to the godly ſettled Lawes of our *Engliſh* Church.

Zuinglius in eccleſ. pag. 48

Maiſter *Zuinglius* a very learned and famous Writer, and a moſt zealous profeſſor of Chriſts Goſpell, is able to ſatisfie all indifferent Readers. Theſe are his expreſſe wordes: *Simul & illud notari debet, quod apoſtolorum nomen depoſuerunt, vt primùm vni alicui eccleſiæ affixi, illius curam continuam habuerant, cum nimirum vel ſenectâ impediti, vel morbis afflicti, peregrinationum moleſtijs & periculis amplius, ſufficere non potuerunt. Tunc.n. non apoſtoli amplius, ſed epiſcopi dicti ſunt. Poſſumus autem huius rei exemplum, imo teſtem adducere D. Iacobum, quem nos minorem ab ætate dicimus. Hunc. n. Hieronimus & omnes ſimul vetuſti patres, Hieroſolymitanorum epiſcopum nominant, non aliam ob cauſam, quam quod ea in vrbe ſedem fixam poſuiſſet. Cum.n. antea, vt & reliqui apoſtoli, peregrinationibus dedituſ fidem vbique terrarum docuiſſet, tandem*

dem ab ipsis apostolis constitutus est, qui Hierosolymitanæ ecclesiæ curā, ceu diligens aliquis speculator, ageret: idem de Iohanne euangelista & christi discipulo dicere possumus. Cùm.n. multis & variis periculis obiectus apostolicam functionem longo tempore administrauisset, tandem Ephesiorum episcopus factus, in ea vrbe anno ab ascensione domini sexagesimo octauo è vivis excessit.

This also must be marked, that they laid away the name of Apostles, so soone as they were tyed to any one church, and had the continuall charge thereof. To wit, when they being either hindered with old age, or afflicted with diseases, were no longer able to endure troubles and molestations of trauaile. For then they were no longer called Apostles, but *Bishops*. We may bring *Saint Iames* the yonger, for an example, or rather for a witnesse of this matter. For *Hierome* and all the auncient Fathers, call him the *Bishop* of *Hierusalem*; and for no other cause, saue onely that he had placed himselfe in that citie. For when in former times, hee as the rest of the Apostles, being giuen to peregrination, had taught the faith euery where, the Apostles made him, as a diligent watchman, the *Bishop* of *Hierusalem*. The same we may say of Saint *Iohn* the Euangelist, and disciple of Christ. For when he being exposed to many dangers, had executed the apostolicall function a long time, hee was at length made the Bishop of *Ephesus*, and died 68. yeares after our Lords ascension.

Out of these words of this excellēt discourse, I note first, that in the Apostles something was extraordinarie and temporarie, and something likewise ordinarie and perpetuall. This is an obseruation of great moment, well worthy to be engrauen in Marble, with a Penne of Gold. Secondly, that the Apostles were some time *Bishops*, and that their function in that respect was perpetuall. Thirdly, that so soone as they betooke themselues to an ordinarie calling, they ceased to bee called Apostles, and were named *Bishops*. And this their ordinarie calling, remaineth this day in the Church, and shall continue vntill the

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Note this point wel, for it is of great moment.

worlds ende. Hence commeth it, that all the holy Fathers affirme with vniforme conſent, that Biſhops this day ſucceede the Apoſtles in their ordinarily calling.

Zuinglius in eccleſiaſte, pag. 20.

This graue Writer deliuereth his opinion for ceremonies, moſt plainly and prudently in theſe expreſſe wordes; *Iam obijciebant odioſe nimis, ſalem, butyrum, ſalivam, lutum, & alia id genus, imo ipſas quoque orationes quæ ſuper infantibus fiunt, quod neque Iohannes, neque apoſtoli legerentur orationibus baptiſmo præiviſſe. Ad quæ ſic reſpondimus, primùm ad ceremonias; Chriſtum interim cæcos quoſdam viſui reſtituiſſe mediantibus tactu aut luto, interim ſolo verbo (reſpice,) neque tamen eos minùs vidiſſe, qui tactu vel luto mediante aciem recepiſſent, quàm qui ſolo verbo, at nihil morari nos externa iſta, ſi eccleſia iubeat reſcindi, factumque eſt, vt protinus iuberet, non ignorantibus nobis qui verbo præſumus, iam inter exordia eccleſiæ horum fuiſſe vſum tametſi eis non tantum tribueretur, atque his noſtris temporibus, vnde & citrà negotium recidimus.* Now they obiected too odiouſly, Butter, Salt, ſpittle, Cley, and ſuch like, yea the very praiers made ouer infants, becauſe neither *Iohn*, nor the Apoſtles are read, to haue preuented baptiſme with prayers. To which wee anſwered, and firſt to the ceremonies, that Chriſt ſometime cured the blinde by touching and Clay, ſometime by his word onely, neither for all that did they ſee leſſe, who receiued ſight by Clay and touching, then they which ſawe by his onely word: but we make no reckoning of theſe externall things, if the church command them to be taken away, and wee obeied, as ſhee appointed, albeit wee miniſters are not ignorant, that in the beginning of the church theſe ceremonies were vſed, though not in ſuch ſort as now adaies, and therfore without contradiction we reiect them.

Out of this dicourſe we may learne ſufficiently, howe to behaue our ſelues touching ceremonies, *viz.* to vſe or refuſe ſignes and ceremonies, as beeing thinges indifferent, as the church ſhall thinke it expedient and appoint to be done.

Hemingius

Hemingius an other famous late writer, hath these words; *Augustinus & Ambrosius non offenduntur, ex eoque alia Romæ, alia Mediolani essent ceremonia. Nam inter se iunguntur pij spiritu Christi, non humanis ceremonijs. Vt pios gubernatores ecclesiarum velim magno studio cavere, ne ceremoniæ scandalo sint infirmis; ita privatos nolim quicquam mutare in ceremonijs, gravi authoritate a maioribus institutis & approbatis. Neque est, quod exactissima ratio singularum ceremoniarum inquiratur, modo non manifestam superstitionem & impietatem redoleant. Quidam offenduntur ceremonijs nostris, quas clamitant papisticas esse. Dicunt nos habere sacerdotes, altaria, vestes, candelas, imagines, exorcismos, signationes crucis, planè papistico more. His ego respondeo, ecclesiam veram a falsa distinguendam doctrina & cultu, non ceremonijs quæ per se adiaphoræ sunt. Neque. n. ceremonias adiaphoras tanti momenti esse iudicamus, vt propter illas schismata moveantur in ecclesia. Retineatur doctrinæ sinceritas, retineatur purus dei cultus. Alia serviant partim tranquillitati, partim infirmitati hominum; & relinquamus prudentiæ gubernatorum, & de his rebus dispiciant.*

Hemingius in syntagm. in. 4. lege decalogi.

Austen and *Ambrose* are not offended, that *Rome* had one kind of ceremonies, and *Millan* an other. For the godly are lincked together by the spirit of Christ, not by humane ceremonies. As *I* wish the godly gouernours of Chnrches to be very circumspect, that ceremonies doe not scandalize weakelings, so would I not haue priuate persons to alter any thing in ceremonies, which our auncestors with graue authoritie haue ordained & approued. Neither is there any cause, why we should require an exact reason of euery ceremonie, so that they imply not any manifest superstition and impietie. Some are offended with our ceremonies, crying out that they are papisticall. They say, we haue Priests, Alters, Vestures, Candels, Images, Exorcismes, Crossings, euen after the Popish manner. To these good fellowes I aunswere, that the true Church is distinguished from

Vide suprà, cap. 9. per totum, & infrà, cap. 14

the falſe, in doctrine and worſhip; but not in ceremonies, which are of their owne nature things indifferent. For we thinke not ceremonies indifferent to be of ſuch moment, that for them wee may make a Schiſme in the Church. Let vs retaine the ſinceritie of Doctrine, and hold faſt the pure worſhip of GOD. Let other things ſerue partly peace and tranquillitie, partly the infirmitie of men; and let vs leaue theſe things to the prudent conſideration of our ſuperiours, and let them diſpoſe thereof.

Marke this learned, wiſe, and godly counſel

Out of theſe wordes of this great learned Writer, wee may gather all things neceſſarie, for the deciſion of all controuerſies about rites and ceremonies of the Church. For

1 firſt, hee telleth vs, that the varietie of ceremonies at *Rome* and *Millan*, did not offend Saint *Auſten* and Saint *Ambroſe*.

2 Secondly, that priuate perſons muſt bee obedient to the lawes of their ſuperiours, and not to take vpon them to alter thoſe ceremonies, which higher powers haue appointed.

3 Thirdly, that wee muſt not be curious, to

4 demaund reaſons for euery ceremonie. Fourthly, that all ceremonies are tollerable, which containe not in them manifeſt ſuperſtition and impietie.

5 Fiftly, that Copes, Veſtments, Candels, Exorciſmes, Croſſings, and ſuch like, are not things of ſufficient moment, to cauſe Schiſme and diſſention in the Church; but that all ſuch things muſt be left, and wholy referred, to the conſideration of higher powers. And both *Bucer* and *Zuinglius* teacheth the ſame doctrine, as is alreadie proued.

The third Obiection.

Now the Church is troubled with Chauncellours Commiſſaries, Officials, and ſuch like; for defence whereof, no reaſon can be yeelded.

The Anſwere.

The antiquitie of Chauncellours and Officials, or of the Subſtitutes

Substitutes and Vicars of Bishops, (which is all one in the thing it self,) is such & of so great authority in Gods church, that both old and late writers of best iudgement, moderation, and learning, haue acknowledged and approued the same. The auncient Councell of *Ancyran*, (which was afore the *Nicen* councell, euen almost 13. hundred yeares ago,) hath these expresse words: *Vicarijs Episcoporum (quos graci corepiscopos vocãt,) non licere vel presbyteros vel diaconos ordinare; sed nec presbyteris ciuitatis sine episcopi precepto amplius aliquid imperare, nec sine authoritate literarum eius in vnaquaque parochia aliquid agere.* *Conc. Ancyr. Can. 13.*

We decree (saith this councell,) that it is not lawfull for the Vicars or Substitutes of Bishops, (whom the Greekes call fellow-bishops or coadiutors,) to order either Priests or Deacons; neither yet to bee lawfull to the Priests of the Citie, to command any thing else without the Bishops authoritie, or without the authoritie of his letters, to doe any thing in any parish. The auncient councell of *Neocaesarea*, and the Councell of *Antioch*, being likewise of great antiquitie, doe acknowledge and approue the saide Vicars or Substitutes of *Bishops*. *Conc. Neoca. can. 13.* *Con. Antioch. can. 8.*

Hemingius agreeth with the Canons of the afore-named councels, deliuering his opinion in these wordes: *Hac potestate ecclesia ordinat ministros pro commodo suo, vt omnia ordinatè fiant ad instaurationem corporis* Christi. *Hinc ecclesia purior sequuta tempora Apostolorum, alios patriarchas, alios episcopos, alios corepiscopos, alios pastores & catechistas instituit. Sequitur, decori partes sunt duæ. Prior, vt excitemur ad pietatem illis adminiculis. Posterior, vt modestia & grauitas in pietatis tractatione eluceat.* *Hemingius in syntagm. de gubernat. eccles.*

By this power the Church ordereth Ministers for her owne good, that all things may bee done in order, for the instauration of the body of *Christ*. Hence the pure church, which followed after the dayes of the Apostles, appointed some to be Patriarches, some to be Bishops, some Coadiutors, Vicars, or fellow-bishops, othersome Pastors & Catechists.

chiſts. Comelineſſe, hath two parts; the firſt, that we may be drawen to pietie by theſe helpes; the other, that modeſtie and gravitie may ſhine, in the ordinance of pietie.

1 Out of theſe words, I note firſt, that the Church may make and conſtitute diuerſe degrees of Miniſters, for her owne peace and for the building vp of Chriſtes myſticall
2 body. Secondly, that Patriarches, Arch-biſhops, and Subſtitutes or Suffragans of Biſhops, and ſuch like, were ordained euen then, when the Church was in her puritie. A moſt worthy obſervation, remember it well gentle Reader. Thirdly, that Ceremonies are ſome helpes, to bring
3 men vnto pietie.

M. *Bucer*, M. *Zanchius*, and M. *Calvin*, the greateſt Patrons of Presbiterie, doe all agree vnto this my doctrine, acknowledging it for the doctrine of the beſt and pureſt Churches, next after the Apoſtles-dayes. In regard of brevitie, I ſurceaſe from recital of their words.

The Reply.

The Church of *Geneva*, where M. *Calvin* was the chief in his time, hath neither Patriarches, nor Arch-biſhops, nor Suffragans, or ſubſtitute vicars.

The Anſwere.

I anſwere with M. *Calvin* himſelfe, whoſe wordes are theſe; *Talis morositas deterrima eſt peſtis, quum morem eccleſiæ vnius volumus pro vniverſali lege valere.* Such moroſitie is a peſtilent miſchiefe, when we will haue the manner of one Church, to be in place of an vniverſall law. Yea, if M. *Calvin*, were this day liuing, he would not affirme the vſage of *Geneva*, to be a fit paterne for the gouernment of our Engliſh Church. Many Ceremonies and conſtitutions agree well to our Church, which were nothing convenient to ſome other. Hence commeth it, that the Church hath au-

Calvin in in arg in ep. ad gal.

thoritie,

thoritie, as I haue alreadie prooued,) to constitute, make, and publish, such Canons, Rules, and Ordinances, as tend to the common good and peaceable government thereof.

The 4. Obiection.

The Bishops take vpon them to giue the holy Ghost, when they ridiculously make Ministers. For they say, Receiue ye the holy Ghost.

The Answere.

I answere, that the manner of ordering Ministers vsed in our English Church, descended by tradition from the best, most auncient, and purest Churches. Which thing Saint *Ambrose*, Saint *Augustin*, Saint *Hierome*, and all the holy Fathers doe constantly affirme with vniforme assent. Neither doth the Bishop take vppon him to give the holy Ghost, but humbly and reuerently pronounceth *Christes* wordes, according to the vsuall practise of all Churches in best approoued times; thereby signifying vnto the newly ordered Ministers, their principall charge and dutie, and assuring them of the assistance of Gods holy Spirit, if they labour in their calling as they ought to doe. Which vsage of our English Church, is consonant aswell to the practise of auncient Churches, as to the doctrine of Saint *Paul* himselfe to *Timothie*, when hee saith; Wherefore I put thee in remembraunce, thou stirre vp the gift of GOD which is in thee, by the putting on of mine hands. For albeit all things necessarie for our salvation, bee contained in the Scriptures, either expresly, or by necessarie consequence, yet are many other things very profitable for the externall gouernment of the Church, which are partly receiued by tradition from the Apostles, and partly added

2. *Tim* 1. *Ver.* 6.

Vide Calv. libr. 4 *instit. cap.* 3. *in fine & notate.*

added by the authoritie of the Church, as circumstances of times, places, and persons did require. Of this point of doctrine M. *Zuinglius* disputeth very learnedly, in a large discourse against the *Anabaptists*. His wordes are these;

Zuinglius part. 2. De baptismo, pag. 87.

Apostolos baptizatos fuisse nusquā legimus, nisi quod de duobus tantùm mentio fiat, Iohan. 1. Vbi tamen idem hoc non disertè expressum est, sed obscuriùs innuitur. Quod si ergo vestro more nihil eorum factum esse dicemus, quæ scripturis sacris non continentur; iam & D. virginem Mariam, & ipsos quoque Apostolos, baptismi signo nunquam inauguratos fuisse fateri cogemur; quod ab omni pietate & religione est quàm alienissimum. Sequitur: cæterùm quòd ad dogmata fidei spectat, & eas res quæ fidem nostram & internum hominem informant perpetuò hoc ceu presenti antidoto vtendum est, quod Deus non præcepit credere, vt credamus ad salutem necessarium non est. Cultum hunc non descripsit, nec iniunxit Dominus, ergo illi placere & acceptus esse non potest. Ceremoniarum autem ratio longè alia est. Nec enim dicere licebit, de ceremonijs istis in Scriptura nihil proditum est, ergo ceremonijs istis vsi non sunt; quod ipsum in exemplo diuæ virginis & Apostolorum abundè satis demonstratum est.

Vide supra cap. 7. ex Calvino, & nota.

We reade in no place of the holy Scripture, that the Apostles weare baptized; saue onely, that mention is made of two in S. *Iohn*. Where for all that, the same is not plainely expressed, but obscurely insinuated. If therefore wee shall follow your manner, and denie all things, which are not conteyned in the holy scriptures; then *certes*, we shall bee compelled to graunt, that neither the blessed Virgin *Marie*, nor the Apostles them selues were euer baptized; which doubtlesse is a strange assertion, and farre from all pietie and religion. But touching doctrines of *Faith*, and those things which informe our faith & the inward mā, we must ever vse this as a present preseruatiue; what God hath not cōmanded vs to beleeue, to beleeue that is not necessarie to our saluation. Our Lord neither appointed, nor inioyned this kinde of worship; therfore it can neither please, nor bee acceptable to him. But touching ceremonies, the

cause

case is farre different. For wee may not say; there is no mention made of these Ceremonies in the Scripture, therefore the Apostles vsed them not; which thing is proued abundantly, by the example of the blessed Virgin, and of the Apostles. Out of this most excellent discourse, I obserue these worthy documents. First, that all things necessarie for our saluation, are comprised in the holy Scriptures. 1 Secondly, that many other things necessarie for Church-gouernment, are receiued by tradition. 2 Thirdly, that it is not a good Argument, to reason after this manner; there is no mẽtion of these things in the Scriptures, therfore the Apostles vsed them not, or therefore they are not lawfull. This doctrine is agreeable to Saint *Austins* rule, who calleth it insolent madnes, to withstand and contradict that, which is receiued by the custome of the whole Church. Yea, it is consonant to S. *Pauls* practise, against the malapert saucinesse of contentious persons. 3

August. in Epist. ad Ianuar.

1. *Cor.* 11. 16.

CHAP. XI.

Of the Presbyterie, and Seignorie.

SOme otherwise learned, doe this day labour with might and maine, to proue that our English church ought to be gouerned with a Presbyterie; that is, with Pastors, Teachers, Laicall vnpriested Elders, and Deacons. These 4. (as they contend) are the lawfull Gouernors of euery particular congregation. Pastors and teachers, for procuring the aduancement of the faith of the Church; Elders, for the censure of their conuersation and life; and Deacons, for the comfort of the poore. That that the truth of this controuersie, (of which many talke, but very few vnderstand it aright,) may be laide open to the indifferent Reader, I haue thought it good to proceed therein, by way of Propositions.

See the 12. chap. sect. 4. ex Bullingero, Gualtero, & aliis.

The 1. *Proposition.*

THat kinde of gouernment, which may bee altered for the circumstances of times, places, and persons, is neither necessarie nor perpetuall. *But* the gouernment by Pastors, Doctors, Elders, and Deacons, (if euer there were any such kind of gouernment in the Christian world,) may be altered and chaunged; *Ergo*, it is neither necessarie, nor perpetuall. the Argument is in forme, and the *Propositi-*
Supra cap. 7. per totum. on most cleare & euident to euery childe. The difficultie or doubt (if there be any,) resteth in the assumption. But I haue prooued it at large, where I disputed of the Churches authoritie, in things indifferent. Yea, there was a time, euen
Act. 6. in the dayes of the Apostles, when the Church had no
Acts 14. Deacons. There was also a time, euen in the dayes of the
Vide infrà, cap. 12 sect. 4. same Apostles, when the Church had no vnpriested or vnpreaching Elders. Who so readeth seriously, the Acts of the Apostles and S. *Pauls* Epistles, can not bee ignorant in this behalfe.

The 2. *Proposition.*

CHrist did not translate the Sanhedrim, Synedrion, or Consistorie of the *Iewes*, vnto his Church in the
1 newe Testament. I prone it first, because both their lesse kinde of Sanhedrim, and their great (as they did afterward diuide it,) was onely in one place for all the Realme; *viz.* First at *Sylo*, then at *Hierusalem* their chiefe citie, vntill the worst and last alterations therein; but the seekers of the newe English *Presbyterie*, would haue the like, (if not
2 the very same,) to bee erected in euery congregation.
Vide infrà, ca. 12. sect. 4. Againe in both Consistories of the Iewish Sanhedrim, as well in the greater of the 70. as in the lesser of the 23.
3 they were all either Priests, or *Doctors* of the Lawe, the
Isai. 10. v. 8. King and the Peeres of the Realme only excepted. Thirdly, their Sanhedrim had partly politicall partly ecclesiasticall

iurisdiction both together; but our Presbyters haue onely ecclesiasticall, seeing (as they graunt,) to be Iudges in ciuill places, is onely the Office of the ciuill Magistrate.

The 3. Proposition.

THe English supposed Presbyterie, is not compatible with a Christian Monarchie; but must perforce despoyle her, and bereaue her of her royall soueraignitie. I proue it, because the sayd Presbyterie challengeth vnto her selfe, all authoritie in causes ecclesiasticall; the supreme ouer-sight of which causes, pertaineth to the ciuill Magistrate, as is already proued. *Vide infrà, in sexta propositione in resp. ad 2. obiect.*

The 4. Proposition.

THE *English* desired Presbyterie, is not grounded vpon the word of *GOD*. I proue it, because the Scriptures alledged by the Patrons thereof, doe conclude no such matter. The Textes are fiue in number, being all that any way seeme to make for their purpose. The first is out of the Gospell, (tell the Church). To this Text I answere in this manner; First, that wee for the true meaning of this portion of Scripture, will giue credite to Saint *Chrysostome*, and the rest of the auncient Fathers; The Church to which this complaint must bee made, doth signifie the Bishops and gouernours of the Church; who, according to all generall Councels, auncient Canons, and the continuall practise of the Church; were euer to this day reputed, acknowledged, and taken for the Church representiue. Secondly, that if we will be ruled by M. *Calvins* censure; Christ doth not here say any thing of the church, of the New Testament, but alludeth to the order of the Church of the *Iewes*. Thirdly, that by the iudgement of the graue and learned writer M. *Bullinger*, a great Patron of the Presbyterie, *Christ* speaketh here of the whole con- *Matt* 18. *ver.* 17. 1 2 *Calvin in harmonia evang.* 3.

Calvin in harmonia Evang.

gregation; and not to a fewe persons, of whom consisteth the supposed Presbyterie. And this exposition is so agreeable to the Text, as none with right reason can denie the same. Yea this sense is indeed agreeable to the verdict of *S. Chrysostome* and of all the auncient Fathers, and to the continuall practise of the Church in all ages. These are M. *Bullingers* wordes; *Quamobrem, hinc efficitur, ecclesiam habere potestatem & mandatum eligendi ministros. Hoc autem facere potest, vel tota ecclesia, vel fidi homines ab ecclesia, ad hoc electi, prout commodius, utilius, & ad pacem conservandam aptius videtur; pro locorum, personarum, & temporum ratione. Nam cuncta hæc ad Pauli regulam dirigenda sunt, vt omnia decenter & ordine fiant.* Wherefore, hence it commeth, that the Church hath power and commaundement to choose her Ministers. And this may bee performed, either by the whole Church, or by faithfull men chosen of the Church for this ende and purpose; as shall bee thought more commodious, profitable, and fit for the conseruation of peace; respect being had to places, persons, and times. For all these things must bee referred to *Pauls* rule, that all things be done decently and in order. And a little after, the same Writer hath these wordes: *Habent autem isti suam potestatem, ex eo quod a tota ecclesia delecti sunt, quæ ex verbo Dei potestatem & mandatū habet eligendi ecclesia ministros.* But these men haue their authoritie, for that the whole Church hath chosen them, which by Gods word hath power and commandement, to choose the Ministers of the Church. Thus writeth this learned man.

Bullingerus aduers. Anabapt. lib. 3. cap. 4 Vide infrà, cap. 12. sect. 4. & nota valdè.

Out of whose words it is most apparent & cleare, that all power is graunted vnto the whole Church, who to auoyde confusion and for order-sake, committeth her authoritie to certaine chosen persons. Which persons are the Bishops and Prelates of the Church, say I, and all antiquitie will confesse the same with me. For neither Councels, Fathers, nor auncient Canons, doe make any mention of the late vpstart presbyterie.

The

The Second text is fathered vpon Saint *Paul*, where he saith; let him that ruleth, doe it with diligence. The third text is drawne from the same Apostle, where he telleth vs, that God hath ordained in the Church, some Apostles, some Prophets, some teachers, some workers of miracles; after that, the gifts of healing, helpers, gouernours. To these two texts, which are of one and the same effect, for the establishing of the presbyterie, I answere in this māner; First, that the Apostle in both places may be vnderstood indifferently, either of ciuill gouernours and gouernment onely, or of ecclesiasticall onely, or of both ioyntly, & consequently, that the text cannot be racked so, that it must perforce be vnderstood, of the vnpriested Seniors of the Presbyterie, especially, seeing it may as fitly, if not more truly, be vnderstood of Kings, Monarches, and other ciuill christian Magistrates; to whom the chiefe care and ouersight appertaineth, of all persons and causes within their kingdomes, territories, and dominions. Secondly, that the original Greek word (*Cubernesejs*) signifieth gouernments, not gouernours. So that thereupon cannot be inferred necessarily, any distinct gouernor from the afore-named Apostles, Prophets, and Doctors. For diuers offices may bee and often are, coincident in one and the same officer. And for this respect, when the Apostle commeth to the repetition of his former assertions, and should by order haue mentioned the gift of gouernance; he passeth it ouer in silence, albeit he reckoneth vp the other seuerally. Wherby hee giueth vs to vnderstand, that hee containeth the same, either in all, or in some one of the former offices or gifts. Thirdly, that none of the holy Fathers in their Commentaries, did euer gather out of these texts or the like, any vnpreaching Seniors. Fourthly, that both maister *Caluin*, maister *Bucer*, and maister *Martyr*, doe extend these places to all kinde of gouernment. The fourth text is taken from the Epistle to the Ephesians, which proueth nothing at all, because there is no mention made in that place of any gouernours,

Rom. 12. *Vers.* 8.

1. *cor.* 12. *Vers.* 28.

1

2

Marke this point well.

3

4

Ephes. 4.

uernours, saue onely of Apostles, Euangelists, Prophets, Pastors, and Doctors. None of which doubtlesse, can be their vnpriested Elders.

1. Tim. 5. The Fift text is borrowed from Saint *Paul* to *Timothie*, where he saith, the Elders that rule well, are worthy of double honour: specially, they which labour in the word and Doctrine. This text *I* graunt, hath some colour (though no truth) of that, which is in question. But *I* answere, that the Apostle vnderstandeth by Elders, such as are ministers of

1 the word, or else of the Sacraments. *I* proue it first, because Saint *Hierome*, Saint *Chrysostome*, and Saint *Ambrose*, yea and maister *Caluin* himselfe, (where hee speaketh purposely of Seniors,)

2 doe so vnderstand the word (Elders.) Secondly, because the originall Greeke worde (*Copiôntas*) which signifieth to labour painfully, doth argue a differēce betweene Elders of the same calling, whereof some laboured more painfully then others did, the meaning of the Apostle is this, and no other: that laborious and painfull Elders, are so much the more worthy to be graced with greater honours: by howe much greater paines and troublesome turmoyles, they vndertake in their ministerie. For by the word (labour,) Saint *Paul* vnderstandeth no ordinarie, vulgar, and meane exercise; but an extraordinarie, vehement, and most painfull labours; such as *Timothie*, *Titus*, *Luke*, *Marke*, and others, were well acquainted withall.

Caluin. libr. 4 institut. cap. 4. § 2.

3 Thirdly, because the Apostle, if hee had meant that some Elders did neither preach, nor administer the Sacraments, would haue added, which labour in the word and administration of the Sacraments, for it had been as easily said, as, which labour in the word and doctrine; but, because there were some, that laboured onely in the word and doctrine, and other some likewise, who laboured in administring the Sacraments; hee saide (*Copiôntes*) which labour painfully, to distinguish them from such as laboured in the same kind and office, though not in so laborious and painefull maner.

The fift proposition.

THe constitution of the earnestly wished, and long expected Englisth presbyterie, doth ouerthrowe it selfe, and can no way be defēded. I proue it first, because diaconesses or widowes are no lesse required in the holy scripture, then are Deacons; neither are the one more extraordinarie or temporarie, then are the other. And consequently, the frame or building of the presbyterie is not perfect, seeing it consisteth onely of these foure; Pastors, Teachers, Elders, Deacons. And to answere as some doe, that there must bee godly poore widowes when they can bee gotten, is not to the purpose. For if Gods appointment and order may bee altered in widowes, because fit women cannot bee gotten; euen so may wee excuse, the want of their ruling vpriested Seniors, as also the want of their Preaching Ministers. For the necessitie and want of fit persons, is equall in them all. I proue it. Secondly, because Pastors and Doctors or Teachers are not distinct officers, but are taken in holy *Writ* for one and the same. For Saint *Paul* hauing seuered Apostles, Prophets, and Euangelists, addeth to them Pastors and Teachers by a coniunction copulatiue; which hee would not haue done doubtlesse, if hee had deemed them to bee different orders. Saint *Hierome* is iumpe of mine opinion, and reasoneth after the selfe same manner. And Saint *Austen* being demaunded of *Ianuarius*, what difference was betwixt Pastor and Doctor, a pastor and a Teacher, answered in this sort, viz. That they were all one, because hee cannot bee a pastor, who hath not Doctrine, wherewith hee may feede the flocke committed to his charge.

1

1. *Tim.* 5.

2

Ephes. 4. *Vers.* 11.

Hier. in hunc locum.

Aug. apud Haymonem, in 4. cap. ad ephes.

Maister

T

Maister *Bullinger* decideth the controuersie in plaine tearmes, writing in this manner; *Nemo autem est, qui non videat hæc vocabula invicem confundi, & alterum accipi pro altero. Nam apostolus etiam propheta, doctor, evangelista, presbyter, atque episcopus est. Et episcopus evangelista & propheta est. Propheta doctor, presbyter, & evangelista. Proinde apostolus paulus, variis hisce vocabulis varia illa dona significavit, quæ dominus ecclesiæ suæ impertijt ad salutem.*

Euery man seeth, that these wordes are confounded, and that one of them is taken for an other. For an Apostle is also a Prophet, a Doctor, an Euangelist, a *Priest*, and a Bishop. And a *Bishop* is an Euangelist and a *Prophet*. A *Prophet* is a Doctor, an Elder, and an Euangelist. Therefore the Apostle *Paul*, by these diuers names signifieth those diuers gifts, which our Lord bestowed on his Church vnto saluation. I therefore conclude, that the pillers whereupon the presbyterie is builded, are sandie, rotten, and vnsound; and consequently, that that building which is reared vpon them, cannot but be vnstable and ruinous.

The sixt Proposition.

THe newe English presbyterie, was not knowne or heard of in the Christian world, for the space of fifteene hundred yeares together at the least. This proposition is sufficiently proued, by this precedent discourse; if it be well marked from the beginning. Yea, my bare assertion is a good proofe thereof; vntill the patrons of the contrarie opinion, can and shall name the time and place, when and where such a presbyterie was to be found.

The seuenth Proposition.

ALL Ministers created and made by the newe presbyterie, are meere lay-persons, and cannot lawfully, either *Preach* Gods word, or administer the sacraments.

This

This is alreadie proued. I will therefore salute our Browmists, Barrowists, and such like, as the learned and famous Writer Maister *Budinger* did the Anabaptists. His wordes are these; *Quod si dicitis, vos instar apostolorum peculiarem vocationem habere, probate eam signis & miraculis, dono linguarum, doctrina apostolica, quemadmodum apostoli fecerunt. Hoc autem nunquam facietis, ideoque vocatio vestra nihili, imò pernitiosa est ecclesiæ Christi.* *Bullinger. aduers. Anabapt. libr. 3. cap. 7.*

Now, if you say, you haue a speciall and peculiar calling, as the Apostles had: then must you prooue the same, by signes and miracles, by speaking diuers languages, and by doctrine apostolicall, as the Apostles did.

Saint *Hierome* saith; *Ecclesia non est, quæ non habet sacerdotem.* Where there is no priest or minister, there can bee no Church. *Hier. adver. Lucifer. tom. 3. ferè in fine.*

The first Obiection

That not Kings, Monarches, and other independant ciuil magistrates, haue the supreame and highest authoritie in causes ecclesiasticall, but that *Bishops* and Priests haue that charge committed to them, as their proper and peculiar function, it may appeare euidently to all indifferent readers, by the facts and proceedings of *Bishops* in the old testament. *Ieroboams* hand dried vp; *Ozias* was smitten with the leprosie, and thrust out of the Temple, king *Saul* deposed from his kingdome, and all this befel vpon these kings, because they tooke vpon them, the supreame authoritie in causes ecclesiasticall. Yea, *Iehoiada* the Priest commaunded to put Queene *Athalia* out of the ranges, and to execute the indgement of death vpon her. And king *Iehosaphat* affirmeth plainly, that *Amariah* was chiefe ruler in all matters of the Lord, as *Zebadiah* was the ciuill gouernour of all the kings affaires. *1. Reg. 13. 2. par. 26. 1. sam 13. 2. reg. 11. 2. par. 19.*

The Answere.

This obiection containeth a question of great moment, and is very obscure, intricate, and difficult. Wherefore I admonish

moniſh and aduiſe the gentle Reader, to reade my anſwere againe, and againe, and to ponder it ſeriouſly, before hee giue his iudgement therein. My anſwere ſtandeth thus,

1 Firſt, that *Ieroboams* hand was dried vp, and *Saul* depoſed from his royall throne; not, for that they challenged a ſoueraignte aboue the Prieſts, and ſupreame authoritie in cauſes eccleſiaſtical; but, becauſe they attempted arrogantly and preſumptiouſly, to execute prieſtly functiō, in offering incenſe vpon the Altar, burnt offerings, & peace offerings.

2 Secondly, that *Vzziah* or *Ozias* was ſmitten with the leproſie, becauſe hee would needes burne incenſe to the Lord, which was the Prieſts proper function. Neither did the Prieſts for all that thruſt him out of the Temple, but dutifully, (as it become them,) told him what was his dutie, and that he had offended God; and therefore they willed him to ſurceaſe from his wicked enterpriſe, and to goe foorth of the ſanctuarie. Which was no other vſage, then S. *Iohn* the Baptiſt afforded *Herode* the Tetrach; when he told him, it was not lawfull for him, to haue his brothers wife. Thirdly, that the fact of *Ieboſaphat*, proueth euidently the Kings ſupreame power ouer all his ſubiects, as well in cauſes eccleſiaſticall, as ciuill. The reaſon hereof is euident, becauſe King *Ieboſophat* by vertue of his prerogatiue royall, placed both *Amariah* and *Zebadiah* in their ſeuerall functions, and preſcribed the limits of their iuriſdictions. Neither will it helpe to ſay, that *Amariah* was ruler in the matters of the Lord, and *Zebadiah* in the Kings affaires. For the meaning is not, that the Kings affaires are not the matters of the Lord; ſeeing (as is alreadie proued,) that the King at his inauguration, receiueth the whole booke of the law, and charge to ſee Gods true worſhip and ſeruice euery where maintained. But the true ſenſe of the text is this, and no other, *viz.* that thoſe things, which the King in his owne perſon may execute, are preciſely called the Kings affaires; to diſtinguiſh them from his other affaires, which himſelfe cannot put in execution.

Mat. 14. Verſ. 4.

Supra, cap. 4. note the whole chapter.

For.

For, albeit in the preaching of the word & administratiō of the Sacraments, the chosen minister hath onely the charge and authoritie to execute them; neuertheleſſe, Gods annointed Prince hath the ſupreame charge & ſouereigne authoritie, to command the execution thereof; as alſo to correct and to puniſh the Miniſter, for the neglect of his dutie in that behalfe. Of which point *I* haue ſpoken ſufficiently in my other bookes, and therefore deeme it a thing needleſſe now to ſtand long vpon the ſame. Fourthly, touching the fact of *Iehoiada* the Prieſt, I anſwere, that it can no way, proue the ſuperioritie of Prieſts ouer kings. For firſt, *Iehoiada* was not a priuate man, but the high Prieſt in the cōmon weale of the Iewes; whoſe office it was, to iudge not eccleſiaſticall matters onely, but alſo ciuill. For the Iewes had no other lawes, but the holy ſcriptures. Secondly, *Iehoiada* did nothing againſt *Athalia* of himſelfe, but with the aduiſe, aſſent, and helpe, of the Centurions and Peeres of the Realme; all which were bound by the lawe of *Deuteronomie*, to defend the kingdome from ſtrangers. Thirdly, *Iehoiada* was bound by the right of affinitie; to defend king *Ioas*, and to eſtabliſh him in his Kingdome. For his wife was the kings Aunt. Fourthly, God had aſſured by his infallible promiſe, the Kingdome to the familie of *Dauid*. Now *Athalia* was not of the ſtocke and Progenie of *Dauid*, but a ſtranger to the Kingdome. For her mother was a *Sydonian*, and her father an *Iſraelite*, more addicted to idolatrie, then were the Gentiles. Beſides this, the wicked pretenſed Queene *Athalia*, had traiterouſly murdered and wholy extinguiſhed, all the lawfull royall blood, (the yong childe king *Ioas* onely excepted, whom God contrarie to her knowledge, had miraculouſly preſerued,) and withall ſhee had ſet vp the worſhip of *Baal*. Wherefore, it was the parts of the Prieſts and Peeres of the Kingdome, to protect the King, to defend his royall right, to ſuppreſſe the vſurped power of *Athalia*, and to deliuer the King, his

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Dent. 17. *v.* 15.

his kingdome, and themselues, from the confused *Ataxia* Idolatrie, & bloodie tyrannie, which she had brought vpon them by her violent intrusion, and vniust vsurpation of the royall right of *Ioas*, their Lawfull King and vndoubted soueraigne. So then, albeit the Ministerie of feeding, of Preaching Gods word, and of the administration of his Sacraments, pertaine onely to his ministers, neither may the meere ciuill magistrate in any wise intermedle therewith; yet for al that, most true it is, that the prouision for the food, the ouersight that the children of God be duly fed, and that the ministers doe exercise their functiõs in vigilant & dutifull manner, belongeth to the ciuil independant, and absolute princes. For this respect is it, that Kings and Queenes haue the names of nurses, not for that they nourish their children in ciuil matters onely, but as in ciuil, so also in spirituall, that is to say, *in lacte verbi dei*, in the milke of the word of God. For though the execution pertaine to the ministers, yet the prouision, direction, appointment, care, and ouer-sight, (which is the supreame gouernmẽt indeed,) belongeth onely, soly, and wholy to the prince. For this cause is it, that King *Ezechias* highly renowned in holy *Writ*, though he were but yong in yeares, did for all that in regard of his prerogatiue royall, and supreame authoritie in causes ecclesiasticall, call the Priests and Leuits his sonnes, charging them to heare him, and to followe his direction, and commandement, for so are the words of the text. This notwithstanding, I graunt freely and willingly, that ministers in the action of their ecclesiastical function & churche ministerie, are aboue all christians, aboue Queenes, Kings, and Monarches, representing God vnto them, teaching, admonishing, & rebuking them, euen as all others: following the godly example therein, of *S. Iohn ỹ Baptist*. Yea if need so require, and that the vices of the princes, kings, and monarches, be notorious, & scandalous to the whole church, the *Bishops* may denounce such potentates, to be enemies to the truth, aduersaries to GOD, and no true members of

Esa 49. *Vers.* 23.

2. *par.* 29. *Vers.* 5. 11. 15

Mat. 14. *Vers.* 4.

of the Church; but forlorne people, to be reputed as Ethnicks & publicans, vntill they giue true signes of vnfeyned repentance. But withall, this must euer be remembred and most loyally obserued, of all Bishops in Christs Church; *viz.* that the prince, (though full of manifest vices, & most notorious crimes in the world,) may neuer be shunned, neither of the people, nor of the Bishops; seeing God hath appointed him to bee their gouernour. Much lesse may the people forsake their obedience, to his sacred prerogatiue royall and supereminent authoritie. And least of all, (for it is most execrable, damnable, and plaine diabolicall,) may either the people alone, or the Bishops alone, or both ioyntly together, depose their vndoubted soveraigne, though a Tyrant, Heretique, or Apostata. For all loyall obedience and faithfull seruice in all civil affaires, and whatsoever els is lawfull, they must euer yeeld vnto him. He may bee admonished by the Ministers in the Court of conscience, concerning his publique offences: but he may neuer bee iudged in the court of their Consistorie, touching his power royall and princely prerogatiue, their power is only to admonish and rebuke him, and to pray to God to amend that is amisse. Hee hath no iudge that can punish him, but the great iudge of all, euen the GOD of heauen. Note the answeres to all the obiections following, & marke them seriously.

Mat. 18.

Vide supra, ca. 4. *& ca.* 1. *in resp. ad* 2. *obiect.*

The 2. *Obiection.*

Great learned men doe hold, that there were vnpriested Seniors in the Primitiue Church, who together with the Pastors did gouerne the Church. And the same is this day practised, in many reformed Churches.

The Answere.

I answere: First, that I doe not condemne the practise of

other reformed Churches, but teach plainly and Christianly, that euery Church hath freedome, libertie, and authoritie, to make such canons, orders, ordinances, and constitutions, as shall bee thought most meete, fit, and conuenient, for the external gouernment thereof. Which thing I haue already proued; not onely by the practise of the Church in all ages, but also by the vniforme assent and constant verdict, of best approoued Patrons of the reformed Churches
2 in this age. Secondly, that those great Patrons of the reformed Churches, who deeme vnpriested Elders to be conuenient for their particular precincts, free cities, and common weales, doe for all that thinke an other gouernment more fit for Christian Monarchies, and doe highly commend the same. I might alledge the ioynt testimonies, of M. *Gualter*, M. *Hemingius*, M. *Bucer*, and of many other famous late Writers; But in regard of breuitie, onely M. *Musculus* shall content me for the present. These are his expresse words; *Principio, vt constituat ecclesiarum ministros, vbi illi desiderantur, sive eligat eos ipse, sive ab aliis iussu ipsius electos confirmet. Neq; n. conuenit, vt praeter authoritatem potestatis publicae publica quisquã munera in ecclesia obeat. Dices, at secùs factũ est in primis ecclesiis, in quibus a ministris ac plebe eligebantur ecclesiarum antistites. Respondeo; talis tum ecclesiarum erat status vt aliter non essent eligendi ministri, propterea quod Christiano magistratu destituebantur. Si reuocas temporum illorum mores, primùm conditiones ac statum quoq; illorum reuoca.*

Musculus in locis, titul. de magistr. Pag. 632.

First, it is the dutie of the ciuil magistrate, to constitute the ministers of the church, where they be wantings whether he choose thẽ himselfe, or confirme those which others by appointment haue chosen. For it is not meete, that any minister execute any function in the Church, without the authoritie of the publique Magistrate. You will say; But it was otherwise in the Primitiue Church, where the Ministers and the people did choose their Gouernours. I answere; the state of the Church was then such, that the Ministers

nisters of the Church could not be chosen otherwise, because then they were destitute of a Christian Magistrate. If thou wilt vse the manners of that time, thou must first call againe the condition and state of that time.

Out of these words, I note many golden obseruations. *First*, that the ciuill Magistrate may appoint and elect the ministers of the Church. Secondly, that none can lawfully execute any Church-foundation, or bee a Minister of the Church, without election, assent, authoritie, or confirmation of the ciuil magistrate. Thirdly, that the ciuil magistrate may either choose the ministers himselfe, or appoint others to doe it. Fourthly, that the gouernment of the church may be altered, according to the circūstances of times, places & persons. Fiftly, that the English long expected presbyterie, can not stand with our English Christian Monarchie. For, she challengeth that as her proper office, which as *Musculus* truly saith,) doth properly pertaine to the ciuill Christian Magistrate. 1 2 3 4 5

I say thirdly, that it cannot be concluded out of the holy Scriptures, that any annuall vnpriested Elders, had the rule of the Church with the Pastors and Bishops. *Tertiò principaliter.* 3

I say fourthly, that for want of Christian Princes, laicall Elders may be assumed to the Church-gouernment, to help and assist the pastors. Yea, *I* further graunt, that the said Elders may remaine vnder a christian prince so it be with his assent, good pleasure, and moderation. *But I* constantly denie, that such kind of gouernment must of necessitie bee had, in and vnder a Christian Monarchie. 4

The first Reply.

S. *Ambrose* writeth plainly, that the Synagogue, and after, the Church had Seniours, without whose counsell nothing was done in the Church. The which saith hee, by what negligence it was left of, *I* can not tell; except happily it were through the slouth, or rather the pride of some pastors, because they alone would seeme to bee somewhat. *Ambros. in prior. Epist. ad Timoth. cap. 5.*

The

The Answere.

I answere; first, that S. *Ambrose* did not thinke those Elders, of whom hee speaketh, to be necessarie for the gouernment of the Church. I proue it, because hee being a most learned, zealous, and godly Arch-bishop, would for his zeale and pietie haue laboured to restore them: and could for his great authoritie, haue effected the same. Secondly, that Saint *Ambrose* speaketh of Elders in yeares, not of Elders in Office: that is, of wise, graue, and olde men of great experience, whom the Bishops in former times tooke in counsell with them, as did also the auncient Synagogue. Our Church-wardens in this age, doe in some sort resemble them.

It something grieued holy *Ambrose*, that graue men, auncient in yeares, whom the Apostle would not haue reproued roughly, did not remaine in like esteeme with the pastors of the Church, as they were of old. This is the true meaning and sense of S. *Ambrose*, concerning those Elders he speaketh of. I proue it out of *S. Ambrose* his owne wordes, which are these: *Nam apud omnes vtiq; gentes, honorabilis est senectus.* For among all nations olde age is honoured. For which cause, both the Synagogue of old, and the Church afterward, had alwayes certaine old men, without whose aduise nothing was done in the Church. Loe, he speaketh of honouring Elders and auncient men, in regard of their yeares. But he neuer meant to equalize them with those, who were Elders in calling, and gouerned the Churches vnder him. No, no: the blessed man *Ambrose*, that graue and holy Bishop of *Millan*, neuer dreamed or once conceiued in minde, that any order of the Ministerie, set downe by Christes Apostles, was worne out of vse in his time.

The 2. Reply.

S. *Hierome* who followed S. *Ambrose* immediately telleth vs most plainly, that in his time the Presbyterie or Eldership was in the Church.

The

The Answere.

I answere; first, that if wee suppose your Presbyterie to haue beene in Saint *Hieroms* time, and not in the dayes of Saint *Ambrose*; it will fauour vs, and wholy make against your helpes. The reason is euident, because that which may bee vsed at some time, and be wanting at other times, is not of necessitie to be vrged at all times; and this is all that wee desire. Secondly, Saint *Herome* speaketh of Priested Elders, and not of men in no degree of the Ministerie. His wordes are these; *Et nos habemus in ecclesia senatum nostrum, cœtum Presbyterorum.* And we haue in the Church our Senate, a companie of Elders or Priestes. Loe, hee speaketh of Priestes, and of Colledges of Cathedrall Churches. I proue it by two reasons; First, for that himselfe telleth vs, in his words afore-going; that he speaketh of those Elders, whose election Saint *Paul* describeth vnto *Timothie*. Againe, because it is vnpossible, that those vnpriested Elders should bee in Saint *Hieromes* time, who were worne out in Saint *Ambrose* his time; because Saint *Austin*, S. *Ambrose*, and S. *Hierome*, were all at one and the same time.

1

Note this well.

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Hier. in Esa. to. 5. lib. 2. cap. 3.

The 3. Obiection.

The long expected Presbyterie, is no way preiudiciall to the Christian Monarchie, but giueth to him so much as the Scripture alloweth.

The Answere.

M. *Gualter*, a zealous, vertuous, and learned Writer, of high esteeme in the reformed Churches, sheweth plainly vnto the world, what right and authoritie the new presbyterie ascribeth vnto Princes. These are his wordes; The *Donatists* of our time ought to consider these things more diligently, which doe ouer rashly condemne whole Cities,

Gualter. in 1. cor. 11.

and Countries, where the word of God is preached, the sacraments rightly administred publique praier celebrated, the poore sufficiently prouided for, and vices, by good and godly lawes forbidden and punished. All these things they esteem as nothing, except there be a certaine new magistracie appointed, which should haue authoritie ouer Princes also. The same learned writer in another place, discourseth in this manner: There be sundry that will needes institute Elders, or an ecclesiasticall Senate, according to the example of the *Primitiue Church*, which also should haue authoritie ouer the Magistrates themselues, if at any time they did not their dutie. But it behoueth them first, to shew, that those their Seniours haue this power, whereof *Paul* doth presently speake: which thing seeing it doth by no meanes appeare, and yet they deliuer vnto Satan whome they will; they doe like, as if some would goe about to cleanse the leaprous, raise the dead, and worke other miracles, because these things were vsually done in the primitiue Church. The same learned Doctor in another place writeth thus: Their ambition is reproued, which goe about to bring all Churches to the forme of their discipline and gouernment, & cry out that there is no discipline there, where all things are not agreeable to their traditions and orders. But these mē receiue a iust reward of their arrogancy, when they that come frō them to other countries, goe beyond all men in saucinesse, & bring nothing from home, but a vaine and intollerable contempt of all good men, neither can they abide to be corrected by any admonition of others.

Gualter. in 1. Cor. ca. 12.

Gualter. in 1. Cor 14.

The zealous, godly, and learned Doctor *Musculus*, hath these expresse words. We thinke otherwise then they, who denie to Christian Magistrates, authoritie to make ecclesiasticall Lawes. We boldly affirme, that all power of making authenticall Lawes, which binde the consciences of the subiects, whether they be ciuill or ecclesiasticall: doe neither pertaine to the multitude of the faithfull, nor to the Ministers of Gods word, but properly to the Magistrate,

Musculus in locis, de magistr. Pag. 531.

giſtrate onely, to whom more power is giuen ouer his ſubbiects. Wherevpon they are called in the Scripture, Gods, who doe execute the Magiſtracie: which name of honour, we doe not reade that it was giuen vnto the *Prieſtes*. The very reaſon and nature of gouerning can not ſuffer, that there be 2. authentique powers in one people, two diuers law-makings and dominions, vnleſſe it be by ſubordination; euen as there is no place, for two heads in one body.

The ſame *Muſculus* in another place, hath theſe golden wordes: but we without diſſimulation thinke thus. Like as the Chriſtian Prince hath chiefe power & care in religion, ſo hath he alſo power to conſtitute and make eccleſiaſticall lawes, & to reforme abuſes in religion. The very nature of making lawes doth not ſuffer, that they command & make Lawes, who haue not power to defend the Lawes, and to take puniſhment of the tranſgreſſors: and that the Magiſtrate ſhould protect the lawes, and puniſh the offendors, who ſhal not haue power to make the lawes, which he doth defend. But *Certes*, among men he that hath power to command, hath alſo power to take reuenge. I know it appertaineth to the magiſtrate, to puniſh not onely the tranſgreſſors of his owne commandements, but alſo of Gods. But the caſe is altered, if the queſtion be made of lawes eccleſiaſticall, neither divulged by God immediately, neither yet by his Apoſtles, but by men within the miniſterie of the Church. Here doubtleſſe it is not fit, that they which are of meaner authoritie, ſhall make Lawes: and they who are of higher power, muſt ſee them kept. Men of meaner degree, may cauſe lawes to be obſerued: but ſuperiours onely can make lawes, whoſe authoritie cõpelleth to obey them, and who haue power giuen thẽ of God, to puniſh the diſobedient. While therefore they aſcribe the conſtitution and promulgation of eccleſiaſticall lawes to thoſe, whom they call gouernours of the church, (to wit, the presbyterie,) and leaue only to the magiſtrate, power to ſee them kept, and to puniſh the offenders: what other thing do they, but giues

Vbi ſuprà. *Pag.* 630.

that to inferiours being subiects, which of right belongeth to higher powers; and taketh it away from superiours, to whom euery soule must be subiect. And so they peruerting the ordinance of God make of subiects Lawe-makers, and of Law-makers subiects. Thus writeth this learned man.

Out of these learned discourses of these two most learned and famous Writers, I note these worthy documents.

1 First, that vnder most Christian Princes, where the Presbyterie beareth no sway; the word of *God* is soundly preached, the Sacraments rightly administred, publique prayer duly celebrated, the poore sufficiently relieued, and vices sharply punished.

2 Secondly, that all these things will not content the maisters of the *Presbyterie*, vnlesse they may haue Princes at their commaund.

3 Thirdly, that if the Patrons of the *Presbyterie*, will needes haue all things after the manner of the Primitiue *Church*; then must they cleanse the leaprous, raise the dead, & worke miracles as the Apostles did.

4 *Fourthly*, that the authors of the *Presbyterie*, are arrogant, contentious, froward, and saucie fellowes. To which the Doctrine of our gracious soueraigne in his *Bazilycon Doron*, is right consonant; when he telleth vs very grauely, (besides many other vices which he there reckeneth vp,) that we shall neuer finde with any Hie-land, or border-theeues, greater ingratitude, and moe lyes and vile periuries, then with this kinde of people.

Bazilycon Doron, Pag 42.

5 *Fiftly*, that they denie vnto *Princes*, authoritie to make ecclesiasticall lawes.

6 Sixtly, that not the *Presbyterie*, but the ciuill magistrates, kings, Emperours, Monarches, and other independant superiours, haue power to make canons and ordinances ecclesiasticall.

7 Seuenthly, that whiles they assigne vnto princes, onely the execution of their Lawes; they make of inferiours, superiours; and of subiects, Lawmakers: and so peruert the holy ordinance of God.

The 4. Obiection.

The gouernmēt of the church in the time of the Apostles, was

was the best & most perfect. Ergo, no reason why it should be changed.

The Answere.

I answere; *First*, that the Church in the Apostles time was most perfect indeed, concerning faith and doctrine absolutely; as also touching external gouernment, if regard be duly had vnto that time. Secondly, that there was not alwaies in the Apostolicall time, one and the same externall gouernment of the Church, as is alreadie proued. Thirdly, that the externall pollicie of the Church, may admit alteration and change without all preiudice of faith and conscience; according to the circumstances, of times, places, and persons. And consequently, that Christian Princes enioy this day very lawfully and laudably, the chiefe care and supreame ouer-sight thereof. Men of best account in the reformed Churches, doe in plaine tearmes approue and confirme this my doctrine. Maister *Caluin* hath these wordes; *Scimus autem politiam pro varietate temporum recipere, imò exigere varias mutationes.* Wee knowe that the pollicie (of the Church) receiueth, yea requireth diuers alterations, according to the varietie of time. 1 2 3 *Caluin in inst. lib. 4. cap. 7. §. 15.*

Maister *Musculus*, a man of great zeale, singular learning, care and gifts, confirmeth Maister *Caluins* opinion in these words; The state of the Church was such at that time, that the ministers could not be chosen otherwise; because they then were without a Christian magistrate. If thou wilt call againe the manners of those times, thou must first call againe their state and condition. Againe, in an other place the same author writeth thus; *I* answere, that the Churches of God were at that time, destitute of a Godly and faithfull magistrate. Wherefore all iudgements betweene brethren & brethren, were then exercised by the Seniours in the ecclesiasticall senate; as the custome also was in those christian churches, which the Apostles planted. *But* the condition is farre otherwise in those Churches, which by the benefit *Musculus in locis, pag. 633.* *Vbi supra, pag. 631.*

of God haue christian Princes and Magistrates, in whom resteth authoritie, power, law-making, and gouernance, not onely in prophane, but in holy things also. It is a most pestilent errour, that some thinke no otherwise of the christian magistrate, then of a prophane gouernance, whose power reacheth onely to things prophane. *Hec ille.*

Beza in confession. cap. 5. sect. 35. Maister *Beza* hath these golden wordes, We must not simply looke or regard, what the Apostles did in the gouernment of the Church, seeing the circumstances are most diuers and variable, and therefore without prepostorous zeale, *Cacozelia* all things cannot in all places and times, be called to one and the same forme or order, but rather the ende and inuariable purpose of them must bee looked vnto, and that manner and forme of doing things must be chosen, which tendeth directly thereunto. *Hec Beza.*

Out of these most excellent and golden discourses of these great learned men, who were very famous and highly renowned in the best reformed churches, I gather these
1 memorable obseruations. *First*, that the Church is not fixed or tied, to any one setled kind of gouernment, but may be changed in her gouernance, as the circumstances of
2 times, places, and persons shall require. Secondly, that it is very fit and conuenient, sometimes to alter the gouernment
3 of the church. Thirdly, that the church may not bee gouerned now as it was in those daies, when there were no chri-
4 stian magistrates. *Fourthly*, that wee must not respect so much what the Apostles did, as their intent and purpose, the scope and marke which they aimed at.

CHAP.

CHAP. XII.

Of the discipline of the Church.

The first Section, of the multiplicitie of Church-discipline.

THe Authors, Patrons, and seekers of the new English presbyterie, reckon vp three parts of church-discipline; *viz.* 1. ℣ election & abdication of ecclesiasticall officers, 2. the excommunication of the stubborne, and absolution of the repentant. 3. the decision of all such matters, as rise vp in the church, whether it be touching corrupt manners, or peruerse doctrine. For answere whereunto, marke the next Section.

The second Section, containing an answere vnto the former.

There is but one onely kind of publique church-discipline, which is called in the new testament, by the name of excommunication. I say (publique,) because I grant priuate admonition and reprehension, to be a certaine kind of priuate discipline. I say (church-discipline,) because I acknowledge also ciuill discipline. Discipline consisteth intrinsecally, in the punishing and correcting of vice. It is one part of the churches pollicie, farre different, from the election of ministers, and decision of controuersies.

The third Section, of the essence, nature, and condition of church-discipline.

The Patrones of the English presbyterie, doe make it an essential part of the Gospell, so necessarie to saluation, as no Church can bee without it, but the truth is otherwise.

1.Cor.1. I proue it first, because *S.Paul* giueth a singular commen-
1.cor.5. dation to the Church of *Corinth*; although it wanted at
2 that time the Church-discipline, which is excommunicati-
Note wel the on. Secondly, because we may stay and continue in that
next Section. Church, which is destitute of excommunication. Which
doubtlesse we could not doe, if excommunication were a
part of Christs Gospell, and necessarie vnto saluation. For
we must flee from that Church, which wanteth any thing
necessarie to saluation. This notwithstãding, many learned
Bul adver. men, euẽ of best accoũt in the reformed, churches do think
Anabapt. it lawfull to remaine in those Churches, where excommu-
lib.6.cap. nication is not in vse. Maister *Bullinger* writing against the
Anabaptists, hath these words; This the Anabaptists vrge,
that there is no true Church acceptable vnto God, where
there is no excommunication. To whom we answere, that
the Church of *Corinth* was a true Church, and so acknow-
Gualter in ledged of *Paul*, before there was any vse of excommunica-
1.cor.5.v.4. tion in it. The same doctrine is taught vniformely, of mai-
3 ster *Caluin*, maister *Gualter*, and others. Thirdly, whereso-
Calvin.lib.4. uer the word of God is truly preached, and his Sacraments
instit.cap.1. lawfully administred, there is Christs Church vndoubted-
§.9.§.10. ly. For these are the true markes, by which best learned
Writers discerne the Church of God. The case is euident
enough, it is needelesse to spend much time about it. *Vide sententiam Gualteri, in fine sectionis subsequentis.*

The fourth Section, of the persons that must excommunicate.

Excommunication precisely and chiefely, pertaineth to
the Church; and secondly to those to whom the Church
Mat.10. hath cõmitted the execution thereof. I proue it by Christs
V.15.16.17 owne wordes in his holy Gospell, where hee willeth his
mat.5.v.29. Disciples to tell the faults of their brethren, if they will not
30. heare them vnto the Church, that is to say, vnto the whole
congregation. And forthwith Christ addeth these wordes,
Verily

Verily I say vnto you, whatsoeuer ye bind on earth, shall be bound in heauen; and whatsoeuer yee loose on earth, shall be loosed in heauen. Againe, in an other place, he giueth the same authoritie of binding and loosing vnto *Peter* alone, which hee gaue in the other place to all the Apostles ioyntly. Thirdly, in an other place he giueth power to remit & retain sins, vnto his Disciples onely & soly. Out of which three seuerall commissions of our Lord Iesus, I gather and conceiue two generall rules and settled lawes. The one, that onely the successors of Christs Apostles and Disciples, haue the keyes of the kingdome of heauen; that is, of opening and shutting, of binding and loosing, of remitting and retaining sinnes; as also the power of excommunication, touching the vse and execution thereof. I say (touching the vse and execution thereof,) because it is one thing, to execute excommunication, and the keyes of heauen; an other thing, to commit the execution thereof to others. The other, that the whole Church hath authoritie, to commit the execution of the keyes and of excommunication, to some speciall persons fit for that purpose; for comlinesse and order sake, and for auoyding of confusion. This my resolution I will proue to be grounded vpon the doctrine of great learned men, highly renowned in the reformed Churches, two things I haue to proue; first, that the whole Church hath power to commit the keyes and excōmunication, to some certaine fit persons chosen for that end and purpose. Secondly, that onely the Ministers of the word & Sacramēts, can denounce the sentence and put the same in execution. Concerning the former, Maister *Bullinger* hath a long and learned discourse, which is able to satisfie any indifferent Reader. These are his expresse wordes; *cæterum video controversum inter quosdam nostri ævi homines, &c.* But *I* perceiue it is a controuersie among certaine men of our age, who should haue power to punish sinne, and to execute the discipline of the Church; some ascribing it to the whole Church, othersome to speciall men chosē for that purpose. Doubtlesse, I cannot perceiue, that they offend, who giue

Mat. 18. Vers. 19. Iohn. 20. Vers. 23.

The 1. rule.

The 2. rule.

Two things must be proued.

Bullinger. in 1. cor. 5. pag. 47.

this power to certain men chosē for that end, without doubt, they doe not offend against Gods word. But they obiect, if he shal not heare you, tel it to the church. Now some chosē men are not the church. But these men perceiue not, that Christ & his Apo. vsed the figure *Synecdoche*. For *Paul* saith you being gathered with my spirit. And in the latter Epistle, he saith, it is sufficient to the same man, that he was rebuked of many. If they wil stand vpon Christs words (literally) we wil see when they wil bring the whole church together. But we speake, (say they,) of the particular Church. We therfore haue the victory, who say that Christ vsed the figure *Synecdoche*. We graunt, that this power is giuen to the whole Church, but we call the congregation of good men the Church. For it followeth forthwith, in the very words of our lord; where two or three are gathered together in my name, there am *I* in the mids of them. Therfore, if Christ, as they graunt, committed the ecclesiasticall discipline to a particular church, & two or three, & much more eight or twelue, make a particular church: what letteth, that christ cōmitted not the same to chosen men, who are consecrate to Christs name? seeing the authoritie of ecclesiasticall discipline, is more intiere & renowned among chosen godly men, then among the confused vulgar sort, who as they lack iudgement, so are they often carried away with affections. *Hac Bullingerus.*

2. *Cor.* 2. *Verse.* 6.

Gualter in 1. *cor.* 5. *v*, 4. *Lev.* 20.

Maister *Gualter* hath these words, *potestatis christi meminit alludens ad mat.* 18. *ne ille ecclesiæ sententiā cōtemneret, et hoc iubet, quia tunc non erat alia tales coercendi, quādo magistratus non erant christiani, alioqui iste penas dedisset secundum legem. Neque Paulus obstitisset, vt apparet ex Rom* 13. *quia vero durè erat, homines christianos Ethnicis obijcere, recurrit ad remedium quod christus dedit quoad iniurias priuatas, mat.* 18. *sequitur potestas illa penes quos erat? penes totā ecclesiā, quæ tamē (ne cōfusio fieret) per delectos agebat ex senioribus. Sequitur; excommunicatio. n. non est ex necessarijs illis, sine quibus ecclesia non consistit.*

He made mention of the power of Christ alluding to his wordes in *Mathew*, least he should contemne the sentence of

of the church. And he cõmandeth this to be done, because they had no other meanes at that time, to correct the disobedient, when there were no christian Magistrates. Otherwise this fellowe, should haue bin punished acccording to the law. Neither would *Paul* haue bin against it, as appeareth by his doctrine to the *Romans*. But because it was a very hard case to send Christians to *Ethnickes*, he hath recourse to that remedie, which Christ appointed for priuate iniuries and in whom was that power? in the whole Church, which for all that, (to auoid cõfusion,) did execute the same by chosen seniours. For excommunication is none of those necessary things, without which the church cannot consist.

The same Doctor in an other place, hath these expresse words; *Hodie non, opus proprio senatu ecclesiæ. Agnoscamus beneficium dei, Esa. 49. vicissim hi agnoscant se quoque mẽbra esse ecclesiæ. Sequitur, nobis sufficiat habere pastores, scholas, magistratus pios, qui cultum dei tueantur, pauperes curent.* *Gualter. in 1. cor. 12. hom. 104. in fine.*

We haue this day no need at all of the senate of the church or presbyterie. Let vs acknowledge the goodnes of God, and let them likewise acknowledge themselues, to be the members of the church. Let it suffice vs, to haue Pastors, Schooles, godly *Magistrates*, that will defend the worship of God, and take care of the poore.

Maister *Martyr* deliuereth the same doctrine in substãce, in these expresse words; *fatemur deinde, claves ecclesiæ vniuersæ datas, ceterum ne confusio accidat; conuenit, vt aliqui ex omnibus deligantur, qui utantur clavibus, quarum usus in omnes redundet qui christo credunt. Prepositos vero ecclesiarum habens deos monet Paulus non semel, et christus non prohibuit, qui cum iussit, ne magistri et Rabbi vocaremur, ambitionẽ repressit, voluitque, vt nemo nostrum hac affectaret. Sed non interdixit, quin habeamus in honore, et appellemus honorifice, quos dominus nobis præfecit: imo Paulus ad Timotheum scribit, se positum esse magistrum gentium.* Wee likewise confesse, that the keyes are giuen to the whole Church. But, to auoyde confusion; it is meete, that some out of all bee chosen, who may putt the keyes in vse: whose vse redoundeth to all that beleeue in Christ. Now, that we must *Martyr in 1. cor. 16. pag. 239.* *1. Tim. 2. Vers. 7.*

haue gouernours of Churches, *Paule* admonisheth more then once, & Christ did not forbid it; who, when he cõmanded vs, not to be called Maisters and Rabbies, represſed ambition, being desirous, that none of vs should hunt after these things. But he neuer forbad vs, to reuerence and giue honourable names to those whom our Lord hath placed ouer vs. Yea, *Paul* writeth to *Timothy*, that himselfe was made the maister of the gentiles.

Musculus in locis, de ministris ver. dei, Pag. 204.

Maister *Musculus* is consonant to the rest, whose expresse wordes are these; *denique curabit vt plebs ipsa viros graues, timentes dei, ac boni testimonij deligant, quorum cura et vigilantia disciplina ecclesiæ administretur, et si quid grauioris momenti accidat, ad ipsam ecclesiam referatur. Hæc tamen omnia, quæ ad indeterminatam potestatem referimus, ad illas tantum pertinent ecclesias, quæ christianum magistratum non habent, quales erant olim, priusquam principes christiani fierent.*

Finally, he shall prouide that the people choose graue men, which feare God and haue a good report, by whose care and painfull labours the Church discipline may be executed, and if any thing of greater moment fall out, that the same be referred to the Church. Yet all these things, which we referre to the power vndetermined, pertaine to those Churches onely, which haue no Christian Magistrate, such as they were sometime, before there were Christian Princes.

Musculus de eccles. pag. 311.

The same Doctor in an other place, hath these wordes; *Hanc cuiusvis. Particularis ecclesiæ potestatem, reprobos scilicet excommunicandi, Romanus pontifex irritam reddidit, & e media sustulit.*

This power of excommunication, which pertained to euery particular Church, the bishop of *Rome* made frustrate, and tooke it quite away.

Out of these most learned discourses of these graue Writers, I obserue these memorable lessons for the benefit of the reader. First, that the power to excommunicate, is

1 giuen to the whole Church. Secondly, that the Church hath

2 power to commit the same to others, as it shall be thought

meete

meete for her good. Thirdly, that the Church for auoiding of confusion, did euer commit this iurisdiction, to some speciall persons fit for the same. Fourthly, that the common vulgar sort want iudgement, and are often carried away with affections, and so are vnfit persons to retaine such iurisdiction in their hands. Fiftly, that excommunication is not any assentiall part of the Church. Sixtly, that the moderation and chiefe power of disposing and committing, resteth principally in the Christian Magistrate, where the church receiueth such a blessing. And thus much of the former part; *viz.* of the power of the whole Church. Let vs proceede to the latter part; *viz.* to whom the church hath committed this power. 3 4 5 6

Concerning this Latter member, it is to be holden for an vndoubted truth, and most Catholique doctrine; that none saue onely lawfull Ministers of Gods word and Sacraments, can lawfully denounce the sentence of excommunication. For this cause was it, that when our Lord Iesus gaue this authoritie to his whole church; he gaue it alwaies in the name, either of all, or of some one of his Apostles. And for the same cause was it, that the Church hath euer since committed the same, vnto her lawfull Bishops and Ministers of the word. The practise of the Church is most cleere and apparant, both by the councels, and by the vniforme verdict of the holy fathers. *Mat.16. Mat.18. Iohn.20.*

Ex concilijs.

This case is most apparant by the old canons, comōonly (for their antiquitie) called the canons of the Apostles. There I finde these expresse wordes; *siquis presbyter, aut diaconus, ab episcopo suo segregetur, hunc non licere ab alio recipi, sed ab ipso qui eum sequestraverat; nisi forsitan obierit episcopus ipse, qui eum segregare cognoscitur,* *Can.32. Apostol.*

If any Priest or Deacon be excommunicated of his Bishop, it shall not be lawfull for any other to receiue him, but onely the partie who seperated him; vnlesse perchance the Bishop die, that did excommunicate him. By this canon

it is euident, that none but the Bishoppe vsed to excommunicate, and yet the same Canon is confirmed, as very authenticall, both by the councell of *Antioch*, and by the first councell of *Nice*, celebrated in the time of *Constantine* the great.

Conc.nican. can.5.conc. antioch.can.6

Conc.Sardic. can.16.

The auncient and famous councel of *Sardica*, hath these wordes; *Hoc quoque omnibus placeat, vt siue diaconus, siue presbyter, siue quis clericorum ab episcopo suo communione fuerit privatus, et ad alterum perrexerit episcopum, et scierit ille ad quem confugit, eum ab episcopo suo fuisse abiectum, non oportere vt ei communionem indulgeat.*

Let vs all agree hereunto, that if a Deacon, or a Priest, or any of the Cleargie be excõmunicated of his own Bishop, and shall flee to an other Bishop, then he may not giue him the communion, if he knewe that his owne Bishop did excommunicate him.

Conc.Carthage. 2. can. 8.

The secõd councell holden at *Carthage*, hath these words; *Placet, vt si presbyter excommunicatus, aut correctus a suo episcopo, sacrificare præsumpserit, anathematizetur.*

We agree, that if a Priest being excommunicated, or punished by his owne *Bishop*, shall presume to celebrate, accursed be that man. And the selfe same decree is to be read, in the sixt councell of *Carthage*.

Conc.carthage.6. can.10.

Ex Patribus.

Saint *Ambrose* that graue, learned, and holy *Bishop*, did alone excommunicate the Emperour *Theodosius*.

Sozom libr. 6.cap.25.

Theotonus Bishop of *Laodicea*, did himselfe alone excommunicate two *Apollinaries*, the father being a Priest, and the sonne being a Reader. The cause thereof was this; *viz.* because they kept companie with a prophane *Sophister Epiphanius*, and heard his vngodly rimes, which he had made in the honour of *Bacchus*.

Sozom.L.1. cap.14.Nicephor. libr. 8. cap.5.

Alexander that godly and famous Bishop of *Alexandria*, did by himselfe alone excommunicate *Arrius*, as both *Sozomenus* and *Nicephorus* doe contest in their stories. *Nicephorus* hath these expresse wordes; *Alexander illum, et*

eum

cum eo qui partes eius sequerẽtur, clericos omnes excõmunicauit.

Alexander did both excommunicate *Arrius*, and all the clerkes that held his opinion. Yea this was a rule so receiued, and a practise so common in the auncient Churches; that when a controuersie arose about the celebration of Easter, *Victor* that zealous Bishop of *Rome* about one thousand and foure hundred yeares agoe, would haue excõmunicated all the Bishops of *Asia*; if *Irenaeus* the good Bishop of *Lyons*, had not disswaded him from that attempt. A.D. 183.

The first Obiection.

Saint *Paul* did not alone excommunicate the incestuous *Corinthian*, but together with the whole congregation. For he saith, when ye are gathered together, and my spirit. 1. *Cor.* 5. *v.* 4.

The Answere.

I answere, first, that though Christ gaue the keyes, and the power of remitting and retaining sinnes vnto the whole Church; yet did he commit the vse and execution of that power, vnto his Apostles and their successors til the worlds end: Secondly, that the Apostle himselfe alone did excommunicate the *Corinthian*, and required the presence of the people no otherwise, then the same is this day required in our English Churches, *viz.* that the sentence be pronounced in the hearing of the congregation, that they may therby auoid his companie that is excommunicated, and be terrified from the like offence. I proue it, because Saint *Paules* words are these; for I verely as absent in body, but present in spirit, haue determined alreadie as though I were present. By which words it is most apparant, that the determination of the matter resteth onely in himself, and not in the people. For otherwise, he could not haue dicided the matter in their absence, and without their assent. And it is confirmed to be thus, because he alone excommunicated *Alexander* the Copper Smith, and the same may bee thought probably, of *Hymenens* and *Philetus*. *Mat.* 16. *Mat.* 18. *Mat.* 28. *Ioh.* 20. *Vbi supr. Vers.* 3. 2. *Tim.* 4. *Vers.* 14. 15. 2. *Tim.* 2. 17.

The

The second Obiection.

Theodosius confessed his fault before the congregation, and asked forgiuenesse of the same, and thereupon was obsolued. And so it appeareth, that *Ambrose* alone did not excommunicate the Emperour.

The Answere.

It is the vsuall practise in our English Church, that no excommunicate person be receiued into the Church again, vntill he haue made publike confession, and asked pardon for his offence. And this notwithstanding, the Bishop alone doth excommunicate, as *S. Ambrosius* did the Emperour.

The Replie.

You say, that the execution of excommunication, pertaineth onely to the successours of the Apostles; & so consequently, it must pertaine to all Ministers of Gods holy Word and Sacraments; and not onely to your lordly Bishops.

The Answere.

1 *I* answere; first, that no such consequence can be inferred vpon my graunt. For though *I* graunt, and that truly, that none but Ministers of Gods word and Sacraments, can lawfully denounce the sentence of excommunication; yet will it not follow thereupon, that *I* giue the same power to euery Minister in generall. For it is one thing to say, that none but Ministers can doe it; an other thing to affirme, that euery Minister *Promiscuè* may doe it. Secondly, that all Ministers haue power habituall to excommunicate; but those Ministers onely haue actuall power to doe it, to whō the Church hath committed that iurisdiction. For seeing the Church hath all the power graunted to her dispensatiō

2 *All ministers haue habituall, but not actuall power.*

on, shee may giue to this or that Minister more or lesse, as shall be thought conuenient in her discretion.

CHAP. XIII.

Of Preaching and other things coincident.

The first Section, of the vocation of Ministers, which cannot Preach.

ALthough it were to be wished, that all Ministers of Gods worde and Sacraments, should be able to Preach, and to deuide Gods word aright vnto the people, yet where and when sufficient men of that abilitie cannot be had, others of meaner talents and honest behauiour may not be reiected. And to hold that none may be ordered and admitted, to administer the Sacraments and to reade the Scriptures and godly Prayers in the Church, for the comfort and edification of the people, is not onely against Christs institution, but also against the vsual practise of the church in all ages. Neither is it possible, to alledge for the ground of the contrarie opinion, either any sound reason out of holy *Writ*, or any one testimonie of any of the holy fathers, or any canon out of any ancient councell. The latter member, *viz.* that it is against the continuall practise of the church, is as cleere as the Sunne-shining at noone day; & therfore I deem it a thing needlesse, to spend wordes in that behalfe. The former member, *viz.* that it is against Christs holy ordinance, I prooue out of Christs owne words in his last supper, when he said to his Disciples; *Hoc facite in mei memoriam.* Doe this in my remembrance. By these wordes, as all the holy fathers and Doctors affirme constantly, Christ made his Apostles Priests *or Ministers, giuing them power and authoritie onely* *Luke. 22. Vers. 19.*

to consecrate the blessed Sacrament of his body and blood, and to deliuer the same vnto his people. Neither could they lawfully, haue either baptized, or preached, remitted, and retained sinnes, vntill they had receiued further authoritie so to doe; which was not graunted to them indeede, vntill Christs glorious resurrection. Whereupon it followeth by a necessarie and ineuitable consequution, which neuer can be answered; that the Preaching of GODS word and the administration of his holy Sacraments, are not so inseperably vnited and linked together, but that the one may stand intiere and perfect without the other. For Christs will and holy ordinance is that onely rule, by which and after which, all the actions, policie, and gouernment of his Curch, must be measured, ordered, and disposed.

Mat. 28. *V.* 19. *Iohn.* 20. *V.* 22.

And this reason *ab authoritate legislatoris*, is confirmed by an other argument drawen *ab exemplo*. Wedlocke or Marriage instituted for a triple ende; *viz.* for procreation of children, for the avoyding of fornication, and for mutuall helpe and societie, is perfect and lawfull for the secondarie ends, though the first cannot be atchieued. For marriage is lawfull in old women, *quib. desinunt mulierdia*, which are past the date of bearing children, as all learned men doe graunt. *Ergo*, the institution and ordering of Priests or Ministers for a triple end; *viz.* for Preaching of Gods word for administration of his holy Sacraments, and for reading of the holy Scriptures & godly prayers, for the comfort & edification of the congregation, is godly perfect, & lawfull for the last & second ends, albeit the first cānot be attained.

Gen. 1. 28. *Gen.* 2. 18. 1. *Cor.* 7. 2. *Gen.* 18. 11. *Luke.* 22. 19. *Mat.* 28. 19. *Act.* 13. 15. *Iac.* 5. 14.

The same argument is further confirmed, by the testimonie of the reformed churches in *Helvetia*; whose iudgement I think, the patrones of the English desired presbyterie, wil not easily reiect or cōdemne. Their expres words are these; *damnamus ministros ineptos, & non instructos donis pastori necessarijs. Interim agnoscimus quorundam in veteri ecclesia pastorum simplicitatem innocuam, plus aliquando profuisse ecclesiæ, quam quorundam eruditionem variam, exquisitam, delicatamque, sed*

Confess. helv. sect. 11. *cap.* 18. *pag.* 38.

panto

paulo fastuosiorem. Vnde ne hodie quidem reijcimus simplicitatem quorundam probam nec tamen omnino imperitam.

We condemne vnmeete Ministers, which are not indewed with gifts necessarie for a shepeheard. Howbeit, we acknowledge, that the harmelesse simplicitie of some shepheards in the olde Church, did sometime more profit the Church, then the great, exquisite, and delicate, but a little to proud learning of some others. Wherefore we reiect not now adayes, the good simplicitie of certaine Ministers, so that they be not altogether ignorant. Loe, the great learned men, the maisters and rulers of the reformed Churches in *Helvetia*, allow and approue as much as we desire. The case is cleere, it cannot be denied.

The first Obiection.

Saint *Paul* commandeth expressely, that euery Bishop or pastor should be able to teach, and to conuince the gainsayers; *Ergo*, no mortal man can dispense with vnpreaching Ministers. 1. *Tim.* 3. v. 2. 3. *Tit.* 1. v. 7. 8. 9.

The Answere.

I answere; first, that if euery pastor must of necessitie be able to conuince the gainsayers, so as otherwise he cānot be a lawfull pastor; then doubtlesse must many of those, who are of high esteeme with the fauourrs of the presbyterie, be vtterly forsaken, and deposed from their ministery. Secondly, that hospitalitie is required in a Minister, euen as is his preaching and aptnesse to conuince. And yet many pastors are allowed within the presbyterie, which for all that can keepe no hospitalitie. Thirdly, that by Saint *Pauls* canons he is as vnlawfull a Pastor that is an angry Minister, as he that cannot Preach. For Saint *Pauls* wordes are as plaine for the one, as they are for the other, *me orgilon*, not angrie. But if all bee vnlawfull Pastors, that be angrie; howe can wee bee assured to finde any lawfull Pastors, either in the presbyterie, or else where? Many other 1 2 3 *Tit.* 1. 7.

conditions doth Saint *Paul* require in paſtors, which will hardly be found in the elders of the Preſbyterie. The true ſenſe and meaning of Saint *Paules* wordes is this, and no other; *viz.* that it is meete and conuenient, that a Paſtor of the Church haue thoſe qualities and conditions which he reckoneth; but withall he meaneth nothing leſſe, then that he is no lawfull Paſtor, which wanteth ſome of the ſaide conditions. Yea, the originall Greeke word, doth confirme this mine expoſition. For, *dei oun ton Epiſcopon* doth onely ſignifie vnto vs, that a Biſhop or Prieſt ſhould of congruitie, and if it may be, haue ſuch conditions and qualities, as the Apoſtle reckoneth vp to *Titus* and *Timothy*; not, that
1. *Tim.* 3.2. none can be true and lawfull paſtors of the Church, which are not indewed with all the aforenamed qualities. No, no, the latin word, (*oportet*,) and the Greeke word, (*dei*) haue no other ſenſe and meaning; but that it behooueth, or that it is meete and conuenient; not, that it muſt of neceſſitie be ſo, or elſe no lawfull ordination.

The ſecond Obiection.

Luke. 9.2. Chriſt ſent his Diſciples forth to preach the kingdome of God, and to cure the ſicke.

The Anſwere.

I anſwere, that this was a ſpeciall charge giuen onely to the Apoſtles, and that it proueth as well, that all Miniſters muſt be curers of diſeaſes, as Preachers and conuincers of gainſayers.

The ſecond Section, of Preaching without licence and authoritie.

The patrons of the Preſbyterie affirme thoſe canons, ordinances, and conſtitutions, to be vngodly, wicked, and plaine diabolicall; which prohibite all Miniſters to preach Gods

Gods word, that are not lawfully licenced thereunto. And they cry out againſt the moſt reuerend Fathers; becauſe they put ſom to ſilence, whom they had licenced to preach in former times.

But I anſwere to theſe vnworthy complaints, and vnchriſtian exclamations; firſt, that no man may take vpon him the miniſterie, but he onely that is lawfully called thereunto. Secondly, that the Church, to whom this authoritie is graunted, may place and diſplace, giue licence to preach, and prohibite from preaching; as it ſhall be thought moſt conuenient for the peaceable gouernment thereof, and for edification of the people. For this cauſe did King *Salomon* Depoſe *Abiathar* the high Prieſt, and placed *Sadock* in his roome. But doubtleſſe, he that hath power to diſplace the Miniſter, which is a greater thing; hath power, a *fortiori*, to ſuſpend the Miniſter from execution, or to prohibite him to Preach; ſeeing that is a thing, that requireth leſſe authoritie. Againe, if the Church had not power to diſplace, ſuſpend, and prohibite Miniſters from Preaching, as their demeanours, and circumſtances of times, places, and perſons ſhall require; then doubtleſſe would the Church abound, with ſchiſmes, confuſion, and all *ataxia* contrarie to the Apoſtolike canon, which preſcribeth all things to be done decently and in order. Yea, I proteſt vnto the world, that I deeme the prohibition of Preaching without licence, to be one of the moſt neceſſary and profitable Canons, that euer were ordained, conſtituted, and eſtabliſhed, by this our Engliſh Church. For ſince euery man tooke vpon him to Preach at his owne pleaſure, and was permitted to doe it when and where he would; lawfull authoritie hath bin ſo impugned, new-fangled conceits ſo vſuall, vnſound doctrine ſo cõmõ, & the text it ſelf either ſcantly touched or ſo rawly & vnclerkly handled; that the auditors were as ignorant of the true meaning of the text in the end, as in the beginning of the ſermon. Hereupon it followed of neceſſitie, that ſome for want of ſkil, (who euer were moſt deſirous to

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Rom. 10. 15. *Hebr.* 5 4. 2

1. *reg.* 2. *v.* 27.

Vide ſect. 4. *ex concil. Vaſenſi, et notato.*

Vide ſupra, cap. 12. *ſect.* 4. *ex. Muſculo.*

1. *Cor.* 14. *v.* 26, 40.

haue the place,) some for disdaine of superioritie in their betters; and others vpon licentious saucinesse; did destroy more, and withdrawe moe people from liking of the Gospell in one moueth, then graue Preachers of great learning and rare gifts, were able to builde vp againe in one whole yeare. I will not disclose all I knowe in this behalfe, for that I haue no pleasure therein. Onely I wish, that all Preachers will hereafter studie seriously how and what to Preach, before they take in hand that most excellent and heauenly exercise. And so I wil conclude this section, with the graue censure of Maister *Musculus*. His words are these; *Habent ministri Christi indeterminatam quandam potestatem, quam in ijs rebus esse dicimus, de quibus nihil est expresso verbo determinatũ a domino; & tamen aliqua ratione ad hoc conducunt, vt ministerium ipsorum vel cõmodius, vel vtilius impleatur.*

Musculus de ministrio verbi dei, pag. 202.

The ministers of Christ haue a certaine vndetermined power, which consisteth in those things, of which our lord hath determined nothing expressely In his word; and yet the same things serue to this end, that their Ministerie may be either more commodiously, or more profitably accomplished. Loe, the Church hath power & freedome to order those things, which our Lord hath not expressely determined in his holy word. Now, it is most euident and apparent, to all that read the Scriptures, that our Lord hath not expressely appointed this minister, and that minister, when where, and in what habit he shall preach, and consequently, the disposition and ordering thereof, pertaineth to the gouernours of the Church.

Vide supra. cap. 12. sect. 4. ex eodem.

The third Section, of reading of Homilies in the Church.

The reading of learned Homilies in the Church, pronounced by vnpreaching Ministers, (so termed scornfully) are vehemently impugned, by the patrons of the long expected presbyterie. To whom I answere; first, that father *Latimer* that blessed Martyr, compiled a whole booke of godly

godly and learned Sermons, (my ſelfe haue ſeene the ſame) which hee would neuer haue done, if hee had thought it a thing vnlawfull, to read or pronounce his Sermons in the Pulpit. The like may be ſaid of Saint *Auguſtine*, Saint *Ambroſe*, and many others, whoſe Sermons are this day extant in print, in the greater part of Europe. Secondly, that the 2
diſtinct reading, of one of the godly and learned ſermons or homilies, ſet forth to be read in our Engliſh Churches, is able to edifie, and no doubt doth edifie the congregation more; then doe many of their ſermons, who inueigh moſt bitterly againſt vnpreaching miniſters. But theſe men are therefore enemies to reading, becauſe they are carried away with a vaine *Philautia*, and loue nothing better, then to heare thēſelues talking. For which end they wander abroad many times, leauing their owne charges either deſtitute, or onely ſupplied by vnpreaching Miniſters, whom otherwiſe they condemne. And this they effect with deſire, euen in thoſe places, where their preſence is neither neceſſary, nor yet much deſired. I ſpeake not this, either in defence of vnpreaching miniſters, (for *I* wiſh with all my hart, that euery church in England, were furniſhed with a godly learned preacher) or in diſlike of their zeale, who endeuoure themſelues to preach often; ſo that be done with *eutaxia*, & obediēce of higher powers, & with ſuch reuerence, ripenes, & due preparatiō, as appertaineth to that heauēly exerciſe. Thirdly, that one of the homilies or ſermons aforenamed, 3
pronounced by an vnpreaching miniſter, (as they odiouſly tearme him,) is intrinſecally and formally a ſermon, or a preaching, & conſequently, that he is truly ſaid to preach, who publikely and orderly pronounceth the ſame. *I* proue it, becauſe to be vttered with a ſhrill or meane voyce, with this or that geſture, vpon the booke or without the booke, and other like circumſtances, are all and euery of them mere accidentall and extrinſecall to a Sermon. Whoſoeuer ſhal hold the contrary opinion, muſt perforce admit groſſe abſurdities, flat contradictions, and plaine impoſſibilities.

Fourthly,

Fourthly, if an vnlearned Miniſter ſhall receiue a learned Sermõ, learnedly & orderly pẽned by his learned friend, & ſhall cunne the ſame without the booke, and after the rehearſall of his text, ſhall pronounce the ſame diſtinctly and orderly in the *P*ulpit; all the learned that heare him, and know not the truth of the matter, will ſay, (and that truly) that he made a learned Sermon, although he were but *calvus comatus, in rei veritate*. And euen ſo ſay *I*; that he preacheth in the *P*ulpit, who readeth Homilies penned to his hand. Howſoeuer that be; this is out of doubt; that many reading the Homilies doe more edifie the congregation, then many others that preach their owne collections, (I will not ſay inuentions and fanſies,) and thinke themſelues no fooles. It is likewiſe out of doubt, that the ſame Miniſters doe preach *Theologica*, though not *theologicè*; and conſequently, that is accõpliſhed by them, which is principally intended by their aduerſaries. Homelies be pithie and ſound, but Sermons are often vnlearned and errours.

Ariſtotel. ethic lib. 2. cap. 4.

The fourth Section, of reading of the Apocrypha in the Church.

The patrons of the preſbyterie make moſt bitter exclamations, againſt the reading of the Apocryphall bookes in the Church, and they haue preuailed ſo farre with ſome of the ſimple ſort and vulgar people, that they will not once vouchſafe to reade or looke vpon thoſe Bibles, which haue the Apocrypha in them. To whom *I* hope in God ſo to anſwere, as ſhall be able to ſatisfie them, if they will be ſatisfied with reaſon. *I* Therfore ſay firſt, that the word *apocryphos* in the original Greek tongue, ſignifieth hid or ſecret; and thereupon certaine books contained within the corps of the holy Bible, and deliuered to the primitiue and auncient Churches ſucceeding, were called *Apocrypha*, for that they were not acknowledged of the Church to be canonicall, that is to ſay, to be the canon or rule of faith, as the other

ther Scriptures are. Secondly, that these Apocryphall bookes were euer in high esteeme in the Church of God, as the holy wrytings of holy men; and were also thought meete to be read in the Churches, as containing fit and necessarie matter, aswell for the knowledge of the hystories, as for the instruction of Godly manners. This to bee so, will bee cleare and euident to all those, that can and list to peruse seriously, the ancient Councells, the holy Fathers, and the histories of the churche. Whereof I shall here in briefe recounte some fewe, for the helpe of the simple and thankfull Reader. And here by the way, the gentle Reader shall vnderstand, that maister *Iunius* a great learned man, and of high esteeme in the reformed churches, hath published notes vpon the Apocryphall bookes.

Iunius doth thinke the Apocrypha to bee very profitable to the churche.

Saint *Hierome* hath these expresse words: *Sicut ergo Iudith & Tobiæ, & Machabæorum libros legit quidem Ecclesia, sed inter Canonicas scripturas non recipit: sic & hæc duo volumina legit ad ædificationem plebis, non ad authoritatem Ecclesiasticorum dogmatum confirmandum.*

Hier. in epist. ad Chromat. & Heliod de lib. Salomon.

As therfore the Church readeth the books of *Iudith*, and of *Tobye*, and of the *Machabees*, but receyueth them not amongst the Canonicall Scriptures: so doth it also reade these two volumes for edification of the people, but not to confirme any Ecclesiasticall doctrine.

Saint *Augustine* is of the same opinion, and deliuereth the matter in these expresse words: *Hanc Scripturam quæ appellatur Machabæorum, non habent Iudæi sicut Legem, & Prophetas, & Psalmos, quibus Dominus testimonium perhibet tanquam testibus suis, dicens, oportebat impleri omnia quæ scripta sunt in Lege, & Prophetis, & in Psalmis de me. Sed recepta est ab Ecclesia non inutiliter, si sobrie legatur, vel audiatur, maxime propter illos Machabæos, qui pro Dei Lege, sicut veri Martyres, a persecutoribus tam indigna atque horrenda perpessi sunt.*

August. cõtra 2. Gaudentij. epist. libr. 2 cap. 23. to. 7

The Scripture which is of the *Machabees*, the *Iewes* repute not as they doe the Lawe, and the Prophets, and the

Psalmes, to which the Lord gaue testimonie, as to his witnesses, saying, *It* behooued all things to be fulfilled, which are written in the Lawe, and in the *Prophets*, and in the *Psalmes* of mee: but the Church hath receiued it not without profite, if it bee read or heard soberly: especially for those *Machabees*, who for the Lawe of God, as true Martyrs, suffred of their persecutors so vnworthy and horrible torments.

Saint *Cyprian*, Saint *Ambrose*, and other *Fathers*, teache the same Doctrine; and the continuall practise of the Churche in all ages, doth yeelde a constant testimonie therevnto.

Nowe, seeing the Churche of God hath thought it meete and profitable, to haue the Apocryphall books read in the Church; and seeing withall, that Saint *Austen*, Saint *Hierome*, and other holy *Fathers*, do commend the same, I see no reason, why a few young heads without gray beards, (whose authoritie is no waye comparable with the practise of the Church, neither their reading, experience, and iudgement, to bee equalized with the auncient & holy *Fathers*) should take vppon them so rashly to controll the Churche of England, and to condemne her for following the practise of the Church in all ages. Let these men weigh well with themselues; what the holy, most reuerend, and learned *Father*, Saint *Austen* saith, to this and the like questions. These are his expresse words; *In his.n. rebus de quibus nihil certi statuit Scriptura Diuina, mos populi Dei, vel institutа maiorum, pro lege tenenda sunt.* For in those things, touching which the holie Scripture hath left no certaine rule; the custome of Gods people, and the ordinances of our ancestours, must be holden for a lawe. Behold here (gentle Reader,) a most excellent rule indeed, giuen vs by this holie *Father* and great learned Doctor. Which, if they, who this day impugne the gouernement of our English Church, (the Brownists and their adherents I euer meane,) would duely ponder and regarde; they would doubtlesse

Augustin. ad Consulan. Epist. 86.

doubtleſſe ſurceaſſe to vexe and diſtourbe the peace of our Church, and receyue the ordinances of their auncestours, with all reuerence and humilitie. For the Church of England doth make a flat ſeparation, in which it doth in plain and expreſſe tearms, ſeuer & deuide the *C*anonicall bookes from the Apocryphall; ſo as no ſimple Reader, can but perceyue and vnderſtand the ſame. And it is not to the purpoſe, to obiect as ſome haue done: that the Rubricke in the booke of common prayer, calleth the Apocryphall bookes holy Scripture. For firſt, when the Rubrick ſaith (the reſt of the holie Scripture,) it may be vnderſtood fitlie, of the bookes Canonicall following; eſpecially, ſeeing it nameth not the Apocryphal expreſſely, but quoteth ſome of them afterwards. Secondly, the Apocrypha may truely and lawfully beecalled holie Scripture *Analogicè*, though not *Univocè*; that is to ſay, the wrytings of holy men, or bookes conteyning holie and good matter. And in this ſenſe ſpeaketh the Rubrick, as I iudge; and ſundry of the holie *F*athers, I am well aſſured, doe ſo tearme the bookes Apocryphall. Howſoeuer the Rubricke be expounded, or wreſted, two things are apparant. Th'one, that the Rubricke doth not call them *C*anonicall ſcripture. Th'other, that the Church meaneth not to equalize them, with the Canonicall books of holy writ. I prooue it, becauſe ſhee hath plainely diſtinguiſhed the one from the other, and preferred the authoritie of the Canonicall. Neyther will it ſerue their turne to ſay, as ſome haue done; *viz.* That nothing may be read in the Church, but onely the Canonicall ſcriptures. For firſt, no text of holy writ doth ſo affirme; and conſequently, the Church hath power to determine thereof, as is alreadie prooued. Secondlie, the ancient councell of *Vaſco*, (which was holden aboue one thouſand and one hundreth yeares agoe,) decreed plainlie in their publique aſſembly, that the Deacons ſhould read the Homelies made by the holy *F*athers. Theſe are the expreſſe words of the Councell; *Hoc etiam pro ædificatione*

Analogicè nõ autẽ vnivocè.

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2.

Conc. Vaſcenſe. can. 4.

omnium Ecclesiarum, & pro vtilitate totius populi nobis placuit, vt non solum in Ciuitatibus, sed etiam in omnibus parochijs verbum faciendi daremus Presbyteris Potestatem: ita, vt si Presbyter aliqua infirmitate prohibente, per seipsum non potuerit prædicare, Sanctorum Patrum Homiliæ a Diacono recitentur.

Beholde here licence graũted to preach.

Wee haue also decreed for the edification of all Churches, and for the good of all the people, that the Priests should bee licenced to preache, and not in Cities onely, but also in euery Parish Churche; so that the Deacons may read the Homilies of the holy Fathers, if the Priest cannot preache himselfe, by reason of some infirmitie. 3. Thirdly, it is voyde of all reason, and farre from all Christianitie, to affirme it vnlawfull to read testimonialls, made to signifie the distresse of our honest Neighbours; that thereby wee may bee styrred vppe, to releeue them more bountifullie. Yea, (if it be true that some haue written,) it is a lawe amongst them of the Presbyterie, to haue their orders for gouerning the Church, reade publicklie once euery quarter. And I knowe *Ex propria scientia*, that some of them, haue done more. Well, now-adayes euery vpstart yongling, that can rawely pronounce some Texts of the holie Byble (though hee but meanely conceyue the true sense,) will roundly take vpon him (I warrant you) to reuile our most Reuerend Fathers, the Archbyshops & Byshoppes, and to controll the gouernement of our Churche, as if hee had a Commission from Heauen to doe it. If I should disclose, what my selfe haue heard herein, and how I haue beene saluted sometimes, for speaking my minde in the defence of the Reuerend Fathers, and of the Godly setled Lawes of this Church of England: time would sooner faile mee, then matter whereof to speake.

The

CHAP. XIII.

Of certaine extrauagants very offensiue to the Patrons of the Presbyterie.

The first member, of Christs Baptisme, and the circumstances thereof.

It is sharply reproued, that the booke of common prayer, hath in it these wordes; that by the Baptisme of his welbeloued Sonne, God did sanctifie the floud *Iordane*, and all other waters, to the mysticall washing away of sinne. By these words, (say they) the Ministeris caused to testifie of God, that hee hath done that which hee neuer did. For answere hereunto, I say first, that I wonder at the temerarious audacitie of these men, who presume to set abroach, *Quicquid in buccam venerit*. Truly saith the Apostle of such qualified people; they would bee Doctours of the Lawe, and yet vnderstand not what they speake, neither whereof they affirme. Secondlie, that if maister *Caluin* say truelie, as he saith most truelie in deede; that it is a pestilent mischief, when the maner of one church, must bee made a Lawe to all the rest. Then doubtlesse may I say truely; that it is a more pestilent mischiefe, when the gouernment of all the Churches in a whole Monarchy; must be squared and measured by the fancie and conceyte of euery priuate man. Thirdlie, that when our Sauiour Christ was baptized in *Iordan*, of his precursor Saint *Iohn*: then did he sanctifie all waters, for the mysticall washing away of sinne. Neither is this mine opinion onely, neither yet the Doctrine of the Church of *England* onely; but it is the constant and vniforme affirmance of the holy Fathers. *Tertullianus*, (whose rare learning Saint *Cyprian* admyred,

In the first prayer of Baptisme. .1.

1. *Tim.* 1. 7. .2.

Caluin. in arg. in Epist. ad Galathas.

.3.

Mat. 3. v. 13.

and therefore was daily conuersant with his works,) giueth this censure of Christs Baptisme in *Iordan*. *Baptizato. n.* *Christo, id est sanctificante aquas in suo baptismate, omnis plenitudo spiritalium retro Charismatum in Christo cessauit.* For when Christ was baptized, that is to say, when Christ sanctified the waters in his Baptisme, then all the fulnesse of former spirituall gifts ceased in Christ.

Tertullianus aduers. Iudæos, pa. 134.

Saint *Hylarie* hath these words: *Non ille necessitatem habuit abluendi sed per illum in aquis ablutionis nostræ erat sanctificanda purgatio. Sequitur. Atque ita & Prophetæ testimonio lauacro non eget, & exempli sui authoritate Humanæ salutis Sacramenta consummat, hominem & assumptoine sactificans & lauacro.*

Hylarius in matt. can. 2.

Hee stoode in no neede of washing; but in the waters of our washing, hee was to sanctifie our purgation. And so both by the testimonie of the Prophet, hee needeth no washing: and by the authoritie of his example, hee doth consummate the Sacraments of Mans saluation, sanctifying Man both in his assumption, and in his washing.

Saint *Ambrose* is consonant to the rest, and deliuereth his minde in these words: *Baptizatus est ergo Dominus, non mundari volens, sed mundare aquas, vt ablutæ per carnem Christi quæ peccatum non cognouit, baptismatis ius haberent.*

Ambros. in Luc. lib. 2. cap. 2.

Our Lord therefore was baptized, not desiring to bee purged, but to cleanse the waters, that they beeing washed by the flesh of Christ, which knew no sinne, might enioy the right of baptisme.

Saint *Hierome* hath these words: *Ipse Dominus noster Iesus Christus, qui non tam mundatus est in lauacro, quam lauacro suo vniuersas aquas mundauit, statim vt caput extulit de fluento spiritum sanctum accepit, non quod vnquam sine spiritu sancto fuerit, quippe qui de spiritu sancto in carne natus est; sed vt illud nobis monstraretur verum esse baptisma, quo spiritus sanctus adueniat.*

Hieron. aduer. Luciferi. tom. 3.

Our Lord Iesus Christ, who rather cleansed all waters by his washing, then receiued any cleansing, came no sooner

sooner out of the floud, but hee receiued the Holy Ghost; not that hee was any time without the Holy Ghost, who was conceyued by the Holy Ghost in the flesh: but that wee should vnderstand that to be true baptisme, in which the Holy ghost is giuen.

Saint *Bede*, (who for his great vertue and rare learning was surnamed *Venerabilis*, Venerable or Reuerend,) hath these expresse words; *Baptizatus est Dominus, non ipse aquis mundari, sed ipsas mundare cupiens aquas, quas abluta per carnem eius peccati vtique nesciam, Baptismi ius indueren, & quod tam innumera sub lege baptismata non poterant, contra praeuaricationis malum vim regenerativa sanctificationis conciperent.* *Beda in Luc cap. 3.*

Our Lord was baptized, not for desire to cleanse himselfe, but to cleanse the waters, that they being washed by his flesh which knewe no sinne, might put vpon them the right of baptisme, and receiue the power of regenerative sanctification against the euill of preuarication, which all the washings vnder the Law could not performe. Thus write the holie Fathers. For the better vnderstanding of whose words, three things must be seriously obserued, touching the sanctification they speak of; *viz.* The time, the manner, and the ende. The time when they were sanctified, the manner how they were sanctified, and the end for which they were sanctified.

Concerning the time, wee must knowe, that Christ instituted holie Baptisme two wayes. First, exemplarilie by fact; then expresselie by word. Examplarilie, when hee was baptized in *Iordan*, about three yeeres & a halfe afore his Passion, at what time hee was about 30. yeeres of age. Expresselie, after his Resurrection, about thirtie dayes before his Ascention vp into Heauen. At which time Christ gaue commission to his Apostles, that they should teache and baptize all Nations. *Matt. 3. 13.* *Mat. 28. 19.*

Concerning the manner, hee did not instill any inherent sanctimonie or holinesse into the waters, but onely

did consecrate and depute them vnto an holie ende; viz. To be the fit and ordinarie matter of holy baptisme; like as God is saide to haue sanctified and blessed the seuenth day, not by putting any holy inherent qualitie into it, but by deputing and ordeyning it to his owne seruice and holy worshippe. Now, that he ordained exemplarilie both the water of *Iordan*, and all others, to bee the vsuall matter of the Sacrament of Baptisme; it may appeare by manie circumstances of the Text, aswell for the matter of Baptisme, as for the forme and effect thereof. First, hee determined water to be the matter of baptisme, when he touched it with his owne most pure & holy flesh, and yeelded to be Baptized therewith. Secondly, hee determined the forme of Baptisme, when in his Baptisme the whole Trinitie appeared sensiblie; for, the voyce of the Father was heard from Heauen; the Sonne was present in our flesh assumpted; and the Holy Ghost appeered in the shape of a Doue. And (as Saint *Hylarie* saith,) the effect of Baptisme was declared, for that the Heauens were opened in the celebration thereof.

Gen. 2. 3. *Exod.* 20. 11.

1.

2.

Mat. 3. *v.* 13. 16. 17.

Concerning the ende, Baptisme is affirmed of Christ himselfe, to bee our second byrth. In another place it is said to washe away our sinnes (Sacramentally.) In another place, it is called the lauer of Regeneration, and Renouation of the Holie Ghost. And in another place, it is made the seale of our iustification by faith, of remission of our sinnes, and sanctification in the Holy Ghost. To this effect wryteth the golden mouthed Doctor Saint *Chrysostome*, in these golden wordes; *Neque ideo solum, sed vt & tu disceres, quoniam super te quoque cum Sacro Fonte diluueris, Sanctus Spiritus veniat; iam vero non visibili specie, qua vtique non egemus, cum nobis pro cunctis sola fides sufficiat. Nam signa non credentibus, sed incredulis dantur.*

Iob. 2. 5. *Act.* 22. *v.* 17. *Tit.* 3. 5. *Rom.* 6. 4. *Chrysost. in cap.* 3. *mat. hom.* 12. *col.* 114.

Neither did the Doue appeare onely for that end, but that thou also mayst learne, that the Holy Ghost commeth vpon thee, when thou art washed in the holie Font; but

that

that appearance is not nowe adayes in any visible shape, whereof wee haue no neede, seeing sole faith sufficeth for all. For signes are not giuen to the faithfull, but to the incredulous persons. These things well pondered: the obiection against the booke of Common prayer, will bee to no purpose: vnlesse perhaps it will bee a caueat for the Author, (which *I* heartilie wish,) to write and speake more circumspectly in time to come. For *I* verily am perswaded, that all things contayned in the booke of Common prayer, are agreable to the holy Scriptures, & the practise of the Church in the purest times, and composed with such *I*udgement, Pietie, Learning, and Religion: that all the wisedome in the worlde, is not able iustlie to controll the same. *In* so much, that *I* wonder, and greatly admire the audacious temeritie of manie: who being of small reading and learning, (and of no iudgment and experience, if they bee compared to those auncient, graue, Godly, wise, and learned fathers, that compiled the booke of common prayer,) dare presume to condemne the same, with theyr bitter inuectiues, vntimely censures, and vnchristianlike Anathematizations. True it is, that Saint *Hierome* saith: *Nec sibi blandiantur, si de Scripturarum capitulis videntur sibi affirmare quod dicunt, cum & Diabolus de Scripturis aliqua sit locutus, & Scripturæ non in legendo, sed in intelligendo consistunt.* *Hier. aduers. Lucifer: tom. 3 in fine.*

Neyther must they flatter themselues, if they seeme in their owne conceits to prooue so much as they say: seeing the Deuill himselfe alleadged *S*cripture (against our Lord Iesus,) and the *S*criptures doe not consist in bare reading, but in true *S*ense and meaning. Would *G*od this graue aduise giuen by this holy, auncient, and learned *F*ather, might be a president and constant rule in this doleful age, to all nouices, superficiall diuines, and young students in Diuinitie, (who more rashly then Clerklie take vpon them to controll not onelie our most Reuerend Fathers, the graue, wise, aud learned Byshops, but euen the whole Sy-

node assembled in the Conuocation house, yea and the King himselfe) to walke circumspectlie, to liue obedientlie, to think modestlie of their own gifts, & not to esteeme better of themselues and their iudgements then there is cause: but to thinke that a learned *Synode* can see as farre as they, and would as gladly goe to Heauen as they: and consequently to ponder with themselues seriouslie, that it is a too too malepeart saucinesse for young heads and superficiall Diuines of slender *Iudgement*, and lesse reading of the holy Fathers, auncient Councells, and Ecclsiasticall hystories; to censure and controll not onely the Godlie setled Lawes of our Christian Kingdome, but euen of the continuall practise of the Churche in all ages. I my selfe am about three score yeares of age; I haue endeuoured by Prayer and painefull *Studie* to attayne good literature, euer since *I* was fiue yeares of age; I haue liued, conuersed, studied, & disputed in manie famous Vniuersities, aswell in England as in forraine Countries; I haue employed my whole care, industry, and diligence, now for the space of thirty yeares and odde, to vnderstand Gods word aright, & to know what hath bene the practize of Christes church in all former ages: and for that ende and purpose, *I* haue for the space of thirtie yeares and odde, prouided all the auncient Fathers, Councells, Hystories Ecclesiasticall, and Chronographycall, so far'forth as my abilitie was able to extend and reach; and that nothing should be wanting in this behalf, I haue borrowed bookes where *I* could, and haue also had recourse to the best Libraryes, both in the Vniuersities & els where; to the end *I* might gather notes out of such bookes, as *I* was not able to buye and prouide. In which behalfe, not my selfe onely, but all such as reape anie commoditie by my painfull labours, are more then a little beholden to these most Reuerend Fathers; *Iohn* the late Arch-byshoppe of *Canterburie*, *Richard* now the L: Arch-byshoppe of *Canterburie*, and *Tobye* the L: Byssh. of *Durham*; who haue for themselues & the good of others, most

The L. Bissh. of Cant. and the L. Byshop of Dur. haue goodly Libraries.

moſt excellent, coſtly, and goodly Libraries: to which *I* haue found free acceſſe, at all times when *I* deſired. All this beeing performed *I* haue verie ſeriouſlie weighed, pondered, and conſidered, what the *Papiſte*, *Arrians*, *Macedonians*, *Eutichians*, *Neſtorians*, *Donatiſts*, *Carpocratians*, *Ebionites*, *Tatians*, *Manichees*, *Browniſts*, and other Sectaries, doe and can ſay for their opinions; and this notwithſtanding, *I* finde the Doctrine and the Godlie ſetled Lawes of this Church of England, (amongſt which *I* place the late Canons of Anno. 1604.) to bee conſonant to Gods word, & to the vſuall practiſe of the Church in all former ages. Theſe things *I* vtter in theſe tearms, becauſe *I* heartilie wiſhe to perſwade all ſuch as are carefull of their ſaluation, to yeeld obedience to higher Powers, and not to bee carryed awaye with the Sugred words of ſuperficiall Diuines, but to learne that obedience is better then Sacrifice. *I* am now likelie euen by the courſe of Nature, ſhortly to forſake this worlde; and therfore *I* doe not ſeeke any preferment for my paines, (which *I* neuer to this daye hunted after,) and much leſſe doe *I* ſeek to draw men into errrours, and ſo to make ſhipwracke of mine owne Soule. No, no, my purpoſe, (God is my witneſſe, is farre otherwiſe; as who am perſwaded ſo fullie of the Doctrine which *I* deliuer, that *I* am not affrayde to ende my life in the ſame.

Rom. 13. 1. *Pet.* 2. 1. *Sam.* 15. *v.* 22.

The ſecond member, of certaine Rites and Ceremonies vſed in Baptiſme.

New-fangled & oddely conceited perſons, do ſcornfullie inueigh againſt interrogatories miniſtred at Baptiſme; againſt Godfathers, Godmothers, Fonts, and otherlike Ceremonies, as things vnknowen in the time of the Apoſtles. To whome I anſwere in this manner; First, that manie things are this day lawfully done in the Church, which were not in vſe in the Apoſtles time. This is already prooued. 1.

Secondly, that the cuſtome of the Church, in things indifferent, is to be eſteemed among Chriſtians for a Law. This 2.

is likewise prooued. And let him that holdeth the contrarie opinion, tell mee by what lawe hee can iustifie, that formall coniunction of men and wemen in holy wedlock, which is vsed not onely in our Church of England, but also in purest reformed Churches euerie where. Hee shall neuer bee able to alleadge any ground in that behalfe, but the vnwritten traditions of the Church. Of which traditi-

Vide sup. ca. 10. per totũ, & ex Calui. cap. 7. 1. cor. 11. v. 34.

ons th'Apostle spoke, (as learned interpreters tell vs) when he said, he would set other things in order at his comming. Yea M. *Caluin* vpon that Text admitteth vnwrytten Traditions, in things not necessarie to Saluation. Thirdlie, that Saint *Austen*, Saint *Ambrose*, and other auncient Fathers, (who liued in the pure ages of the Church,) make mention of Godfathers, and Godmothers, and of the interrogatories which our Church vseth in the Baptisme of infants. Saint *Austen* beeing demaunded, howe they that bring an infant to baptisme, are bolde to answere that hee beleeueth, and so to all other demaundes, seeing they dare promise nothing of his behauiour when hee commeth to mans state, answereth in these expresse wordes; *Si. n. Sacramenta quandam similitudinem earumrerum quarum Sacramenta sunt, non haberent, omnino sacramenta non essent. Ex hac autem similitudine, plerunque etiam ipsarum rerum nomina accipiunt. Sicut ergo secundum quendam modum sacramentum corporis Christi, corpus Christi est, Sacramentum sanguinis Christi, sanguis Christi est, ita sacramentum Fidei, Fides est. Nihil est autem aliud credere, quam fidem habere. Ac per hoc cum respondetur paruulus credere, qui fidei nondum habet affectum, respondetur fidem habere propter fidei Sacramentum & conuertere se ad Deum propter conuersionis sacramentum, quia & ipsa responsio ad Celebrationem pertinet Sacramenti. Sequitur: itaque paruulum, & si nondum fides illa quae in credentium voluntate consistit, iam tamen ipsius fidei Sacramentum fidelem facit. Nam sicut credere respondetur, ita etiam fidelis vocatur, non rem ipsa mente annuendo, sed ipsius rei sacramentũ percipiendo.* For if Sacraments had not a cer-

Aug. in epist. ad Bonifac. ep. 23. pag. 57. 58.

Vide Musc. in locis de eccles. pag. 310.

taine.

taine ſimilitude of thoſe things whereof they bee Sacraments, they were no *S*acraments at all. And by reaſon of this ſimilitude, they are often called by the names of the things themſelues. As therefore after a certaine manner of ſpeaking, the Sacrament of the bodie of Chriſt, and the Sacrament of the bloud of Chriſt, are the bodie and bloud of Chriſt; ſo the *S*acrament of faith, is faith. Neyther is it any other thing to Beleeue, then to haue *F*aith. And therefore, when anſwere is made, that the infant beleeueth, which as yet hath not faith in deed; it is anſwered, that hee beleeueth, for the Sacrament of faith: and that he doth conuert himſelfe to *G*od, for the ſacrament of conuerſion, becauſe the anſwere it ſelfe, perteyneth to the Celebration of the Sacrament. Therefore, although that faith which conſiſteth in the will of the beleeuers, doth not make the childe faithfull: yet doth the Sacrament of that *F*aith make him faithfull. *F*or euen as it is anſwered that hee doth beleeue, ſo is hee alſo called faithfull; not by ſignifying or graunting the thing it ſelfe in his minde, but by receyuing the ſacrament of the thing. Thus writeth *S. Auſten*, that auncient & learned *F*ather, out of whoſe words *I* obſerue againſt raſh heads, & young Diuines, theſe moſt excellent inſtructions for the humble and *G*odly readers. *F*irſt, that this holy & learned father, (whoſe vertue and learning all the *C*hriſtian world hath hitherto honored, and admyred,) relyeth & ſtayeth himſelf vpon the practiſe of the *C*hurch, which nowe adayes euery proude *Browniſt*, and vnlearned *Martiniſt*, contemneth at his pleaſure. Secondly, that it was the cuſtome of the Church in *S. Auſt.* time, (which cuſtome he reuerenced,) euen as it is this day, in our Church of England, to propound interrogatories to the ſuerties, or *G*odfathers & *G*odmothers in the behalfe of the childe: as alſo they did lawfully and truely anſwere and promiſe, as the manner is nowe in our Churche, and that their anſweres were to bee iuſtified, by vertue of the *S*acrament. 1. 2.

The first Obiection.

The ſuerties which you call Godfathers and Godmothers, cannot performe that, which they promiſe in the name of the child, *ergo* it is a vaine and rediculous exerciſe.

The Anſwere.

I anſwere, that the ſuerties are well able to performe all that they promiſe, as who promiſe nothing abſolutely, but with a condition vſually vnderſtood in all ſuch kinde of promiſes; *viz.* if we liue, if Gods will be ſo, to the vtmoſt of our power and ſo forth. And ſo much may be gathered, out of the expreſſe words in the booke of common prayer.

The ſecond Obiection.

Not the infants, but the Godfathers and Godmothers are baptized, and ſo rebaptization is admitted. For not the child, but they ſay, I renounce the diuell, that is my deſire.

The Anſwere.

Dionyſius Areopag. de eccleſ. hierarchia prope finem.

I anſwere; firſt, with the auncient father *Areopagita*, in theſe words, *Non.n. hoc ait, ego pro puero abrenuncio, aut promitto, ſed puer abrenuntiat & profitetur: id eſt, profiteor me huic puero ſuaſurum, eum intelligere ſacra per ætatem poterit, diuinis meis inſtitutionibus, vt & nuntium remittat aduerſarijs, atque ab eis deficiat, & profiteatur exoluatque diuina promiſſa.* Neither doth hee ſay this, I renounce or promiſe for the child, but, the childe renounceth and profeſſeth, that is to ſay, I promiſe ſo to inſtruct the child, when he commeth to yeares of diſcretion, with my godly inſtructions and exhortations, he ſhall renounce all things aduerſe, & profeſſe and performe thoſe heauenly promiſes which he maketh.

Secondly.

Secondly, with Saint *Austen* in these words: *Miror sanè quod ita volueris, vt de his quæ varie per diuersa loca obseruantur, tibi aliqua conscriberem, cum & non sit necessarium, & vna in his saluberrima regula retinenda sit, vt quæ non sunt contra fidem, neque contra bonos mores, & habent aliquid ad exhortationem vitæ melioris, vbicunque institui videmus, vel instituta cognoscimus, non solum non improbemus, sed etiam laudando & imitando sectemur, si aliquorum infirmitas non ita impedit, vt amplius detrimentum sit.* August. ad Iamar epist. 119.

I maruell why you would haue me write to you, touching those things which are diuersely obserued in diuers places, seeing that it is not necessarie, & that in these things we must hold this for a constant and sound rule, that what things soeuer are neither against faith, nor against good manners, and are some helpe to the furtherance of honest life, whersoeuer we see such things to be ordained, we must be so far from reprouing them, that wee must praise & imitate the same; vnlesse some weaklings bee so scandalized, that hurt commeth thereupon.

Thirdly, with the zealous and learned Writer maister *Zuinglius*, in these expresse words, *Hic vero singulis videre licet, quænam sit contentiosi istius Satanæ calliditas, qui huiusmodi rixis propter externa quædam institutis, papatui amplissimas fenestras denuò aperire voluit. In huiusmodi vtique rebus Pauli Apostoli regula nobis obseruãda est. 1. cor. 14. sequitur, quorũ vsum & administrationem in nostro arbitrio & potestate sitam esse ait, sic tamen, ne quid cum dei instituto pugnans committamus, & ne pacem publicam, cuius nobis præcipua cura esse debet, propter externa hæc interturbare libeat. licet ergo vel hodie quoque pædobaptismum (etiamsi hactenus in ecclesia vsurpatus non esset,) de novo instituere, si aliquod inde commodum, & pacis concordiæque fructus inde promanaret.* 3 Zuingl. us Prrt. 2. dcbaptis. Fol. 87.

Here euery man may see, what subtiltie and craftie dealing contentious Satan vseth, who goeth about by these dissentions in external matters, to make againe a most ready way and passage, for Poperie to enter into our gates.

But

But in such matters doubtlesse, the Apostles rule must be obserued. Whose vse and administration he saith, is in our arbitrement and power: yet so, that we doe nothing against Gods ordinance, neither haue any desire to trouble the publique peace, whereof we must haue an especial care, for these externall matters. It is therefore this day lawfull for vs also, to institute and ordaine a newe the baptisme of infants, (although it had not hitherto bin vsed in the church) if any commoditie, or good successe of peace and concord, might insue thereupon.

Out of these learned discourses of these graue and learned Writers, *I* obserue these memorable rules for the benefit of the gentle Reader. 1 First, that the ceremonies this day of our English Church, are the same ꝑ were vsed in the 2 church in ꝑ purest times. 2, that in things which are neither against faith, nor against manners, the custome of the church must be a rule for vs to follow. This is a most worthy lesson, a most excellent rule, and a most necessarie obseruation. 3 Thirdly, that the dissentions and schismes stirred vp about externall rites and ceremonies, proceede from 4 the craftie and deceitful dealing of the diuel. Fourthly, that the Church hath power to make and constitute any lawes, which are not repugnant and contrarie to the word of *God*. 5 Fiftly, that our Church hath this day power to haue instituted the Baptisme of Infants, although it had not beene vsed in former ages. And consequently, that it hath power *a fortiori*, to set downe orders and lawes for the apparell of Ministers, for surplesses, square Caps, interrogatories in baptisme, and bowing of the knee at the name of *Iesus*, for kneeling at the holy Communion, for giuing thanks of women for their deliuerance from the perill of child-birth, for prohibiting to Preach without licence, for Reading of Homilies, and the like. Which rules and obseruations, if they were wel remembred, and duly obserued, all schismes, dissentions, whisperings, and mutinies, would wholy surcease in this Church of England.

Notato sequens membrum valde.

The

The third member of Deacons, and their office in the Church.

In the booke of orders, there is an office called the Deacon whose description is not to be found in Gods booke, namely consisting in helping the Priest in diuine seruice, especially when he ministreth the holy Communion, in reading holy Scriptures & Homilies in the congregation, instructing the youth in the Catechisme, in Baptizing and Preaching, if he be admitted thereunto by the *Bishoppe*. Thus Write the patrons of the Eldership, and earnestly wished Presbiterie, to whom *I* answere in this manner. First, that if it were true which they say, (as it is not indeed;) yet would it not followe, that the office of a Deacon this day vsuall in the Church, should be a thing vnlawfull to be vsed. The reason is euident, because (as *I* haue already proued,) the Church hath authoritie to constitute, make, and ordaine, any lawes, ceremonies, canons, ordinances, and orders, which are for the good of the Church, and not against the word of God. for the better confirmation whereof, let vs heare the verdict of maister *Zanchius*, that most famous Writer. These are his expresse words: *interea tamen non improbamus patres, quod iuxta variã tũ verbi dispensandi, tum regendæ Ecclesiæ rationem, varios quoque ordines ministrorũ multiplicarint, quando id eis liberum fuit, sicut & nobis, & quando constat, id ab illis fuisse factum honestis de causis, ad ordinẽ, ad decorũ, & ad ædificationẽ ecclesiæ pro eo tempore pertinentibus.*

1

Vide supra, Cap. 5.

Zanchius de relig. Pag. 169.

Neuertheless, we doe not discommend or reproue the fathers, because they did multiply and increase the orders of the ministers, according to the various manner of dispensing the word, and of gouerning the Church. Seeing that was in their libertie and power, as it is also in ours; And seeing also it is euident, that they did that for honest causes, for order, comlinesse, and edification of the Church, as that time did require. Out of these golden

adde huc membrum precedens

1 wordes, I obserue first, that the holy fathers in former ages did institute diuers orders of *Ministers*: which orders though they be not found expressely in Gods booke, yet this great learned man dareth not disalowe or reproue the same. But our young maisters, (who for learning are vnworthy to carrie his bookes after him) dare condemne them roundly, and make hauocke of the Lawes of the ancient Church. 2 Secondly, that the Church both then and now, had and still hath full power and authoritie, to constitute diuers orders of *Ministers* in the Church. Let this obseruation bee well marked; for it is of great importance, and no small moment. 3 Thirdly, that such orders and constitutions, doe pertaine to the order, comelinesse, and edification of the Church. 4 Fourthly, that these things may be changed at the discretion of the Church, as the circumstances of the times, places, and persons doe require.

Nota membrum praecedens valde.

2 I answere secondly, that the office of Deacons is no otherwise this day in our English Churches, then it was of old in all Churches throughout the Christian world. I proue it, for that both ancient councells, of *Nice*, *Carthage*, and others, and also the holy fathers, doe testifie the same so copiously, as none but younglings of no reading, can be ignorant thereof.

Conc. Nicen. can. 14. Conc. Carth. 4. Can. 37. Iustin. Apol. 2. in fine.

3 Thirdly, that Deacons in the Apostolique time and primitiue Church, did not onely serue the table, and minister to the poore, but also baptize and preach the Gospell. I prooue it first, because there were Deacons at *Ephesus*, at *Philippi*, and in *Crete*; as may euidently be gathered of the Epistles, which were written to *Timothie*, *Titus*, and the *Philippians*. And for al that, there was in those places at that time such paucitie of Christians, as there could bee either small neede or none at all, for Deacons to attend vpon the tables. 2 Secondly, because the solemnitie of imposition of hands, vsed in the ordering and consecration of Deacons, doth argue a further and more excellent function, then

ratio. 1.

then the bare and sole ministerie of the table. This was well obserued by the great learned Doctor *Illyricus*, whose wordes are these; *Illyricus, in 1. Tim. 3. 9.* *Hinc autem apparet eos non tantum ad dispensationem eleemosynarum alimentorumque, sed etiam ad institutionem auditorum fuisse adhibitos, sicut & illi Act. 6. etiam simul docuerunt, non tantum œconomiam administrarunt; sed nimirum munus illorum fuit tantum rudiores instituere, seu catechismum tradere, dum presbyteri omnibus suffiœre laboribus nequeunt.* Hence it is apparant, that the Deacons were ordained, not onely to distribute almes and reliefe to the poore, but also to instruct and teach their auditors, as they also, of whom mention is made in the acts, were occupied in teaching, and not onely in houshold-businesse. For their office was to instruct the ignorant, and to Catechise, while the pastorall Elders could not vndergoe all the labours. Loe, *Illyricus* (who vnderstood the Scriptures, as well as our Brownists and *M*artinists,) affirmeth plainely and constantly, that the office of Deacons, euen in the Apostles time, was not onely to attend on the poore, but also to instruct and Preach the Gospell.

I proue it Thirdly, because *Philippe* the Deacon did not onely attend the poore, but was also occupied in *B*aptizing and in Preaching. As also, for that Saint *Steuen* another Deacon, made a long, learned, and most godly Sermon, vnto the obstinate and stiffe-necked Iewes; in which he proued at large, that he did serue and worship the euerliuing God aright, euen that God who chose the fathers afore *Moses* was borne, and before their Temple was built. 3 *Act. 8. v. 35. 38. Act. 7. Vsque, v. 53.*

The first Obiection.

Steuen the Deacon did not preach at all, but onely defended himselfe in a long Oration, against the wicked and slaunderous accusations of the stiffe-necked Iewes, which to doe is lawfull, not for Deacons onely, but also for all other Christians.

The Answere.

1 I answere first, that Saint *Steuen* answered in the way of Preaching for edification sake, not in the way of pleading for his owne defence, albeit one may answere accusations in a Sermon. For first, hee sharpely reproued them, terming them stiffe necked, and of vncircumcised hearts and eares. Secondly, hee was in the sinagogue of the Libertines. Thirdly, the end and scope of his speech, was to proue the true and pure worship of God, neither to be affixed to the Temple, nor to any externall ceremonies. All which being put together, it is cleere that Saint *Steuen* made a godly Sermon. This my answere is confirmed by the verdict of *Illyricus*, whose words are these, *Videtur autem hic Stephanus egressus esse metas suæ vocationis, qui magis apostoli, quam diaconi munus vsurpaverit, docendo, disputando, & miracula edendo. Sed sic deus solet suam quandam viam libere ingredi, spirando suo spiritu vbi vult.*

Cap. 7. 51. *Cap. 6. 9.* 2 3 *Illyricus in 6. cap. act. v. 8.*

Steuen seemes here to haue passed the limits of his calling, in vsing the function rather of an Apostle, then of a Deacon, teaching, disputing, and working miracles, But thus God will vse his owne waies, breathing with his spirit where he listeth.

ibidem cap. 7. v. 1. *Aretius in act. 7. Gual. in act. 6.*

Againe in another place, the same *Illyricus* hath these words: *primum, est longa concio Stephani, vsque ad 53. Versum, deinde, est glorioſum martyrium eiusdem.* First, there is a long Sermon which *Steuen* made, vntil the 53. *Vers.* then followeth his glorious martyrdome. M. *Aretius* and M. *Gualterus* doth both of them affirme constantly, that Saint *Steuen* vsed to preach vsualy. I answere secondly, that if it be true, (which the obiection thereof supposeth,) that an Apologie cannot consist with a true and godly Sermon: then will it follow of necessitie, that Saint *Paule* did not Preach before *Fœlix* the gouernour of *Iurie*, which to hold, is against *M. Caluin* and all learned Writers. It will also followe thereupon, that Saint *Peter* did not Preach,

Act. 24. v. 10. &c.

when

when hee answered to those that accused the Apostles of Drunkennesse, before the *Iewes*, and all the strangers that did inhabite *Ierusalem*. *Act.2,v.15.*

3.

I answere thirdly, that the custome of the church is of great authority, for the true sense & meaning of the doubtfull texts of Scripture. By which custome it is euident, that Deacons did Baptize and preache in the primitiue church: and that both *Steuen* and *Philip* did the same, although they were but Deacons, Saint *Hierome* hath these words, *Non quidem abnuo hanc esse Ecclesiarum consuetudinem, vt ad eos qui longè in minoribus Vrbibus per Presbyteros & Diaconos baptizati sunt, Episcopus ad inuocationem Sancti spiritus manum impositurus excurrat.* *Hieron. adu. Lucifer. tom. 3. fol. 3. c.*

I doe not denie, that this is the custome of the church, that the Bishop should goe to those, which in Villages a farre of were baptized by the Priests and Deacons, and lay his hands vpon them with inuocation of the Holie Ghost. Loe, the custome of the church approoued the baptisme of Deacons, which shall bee made more apparant, in answere to the next obiection,

The second Obiection.

Philip that baptized the Eunuch, was *Philip* th'Apostle, not *Philip* the Deacon: Besides, hee was then an Euangelist, and so baptized & preached as an Euangelist, and not by vertue of his Deaconshippe. *Act.8.v.35 38.*

The answere.

I answere: first, that this *Philip*, (whereof the controuersie is made) was not an Apostle, but one of the seaue Deacons. The reason hereof is euident, because all th'Apostles (as S. *Luke* writeth,) remained still at *Ierusalem*, and consequently it must needes bee *Philip* the Deacon, who was dispersed with the rest, and came to *Samaria*, where hee now preached

1

Act.8.v.1. 14. *Act. 8. v.1.*

ched and baptized. The words of the text are these, they were all scattered abroad through the Regions of *Iudæa*, and *Samaria*, except th' Apostles. Againe; then came *Philippe*, into the Citie of *Samaria*, and preached Christ vnto them. Againe thus; Nowe, when the Apostles which were at *Ierusalem*, heard say that *Samaria* had receyued the worde of God, they sent vnto them *Peter* and *Iohn*. By these seuerall Texts, it is most apparant to all indifferent readers, that *Philippe* which baptized the *Æthiopian*, was none of the Apostles; but was that Deacon which came into *Samaria*, *Philippe* th' Apostle being still at *Ierusalem*. But the Patrons of the Eldershippe, vse to shuffle vppe Scriptures, they care not how, so they may seeme to conclude their intent and purpose. Let vs heare what Maister *Caluin* saith, whose words are these; *Cæsareæ vsos fuisse dicit hospitio Philippi, quem Euangelistam vocat, licet vnus esset e septem Diaconis, vt visum est capite sexto. Diaconiam illam fuisse temporale munus, hinc coniycere promptum est; quod Philippo alioqui liberum non fuisset, relicta Ieroſolima Cæsaream migrare.* He telleth vs, that they lodged with *Philippe* at *Cæsarea*, whome he calleth Euangelist, although hee were indeed one of the seuen Deacons. Hence wee may gather, that his Deaconshippe was but a temporarie office; for otherwise he could not haue left *Ierusalem*, and haue gone to *Cæsarea*. Where *I* must needs wish the Reader to obserue by the way, that seeing the office of Deacons was temporarie and mutable; much more may the same bee saide of vnpriested Elders, if anie such were in any age, place, or time.

Act. 8. *v.* 5. *Act.* 1. 14. *Calui. in.* 21. *Act. v.* 7. 8. *Vide Bezã. in cõfes. ca.* 5.

2 I answere secondly, that *Philip* which baptized the *Æthiopian Eunuch*, was not onely once a Deacon, but still remained so: and that he was called an Euangelist, because he did Euangelize, and preach the Gospell. *In* which sense euery preacher may thus be truelie called an Euangelist, as both M. *Bullinger*, & other learned writers graunt. This to be so, the verie expresse words of the text doe prooue it so plainly, that no denyall can be made therof. Thus writeth

teth Saint *Luke*, *Eiselthontes eis ton oicon Philippou ton Euangelistou ontos ec ton hepta emeinamen par auto.* Entring into the house of *Philip* th'Euangelist, being one of the seauen, wee aboade with him. Loe, S. *Luke* speaketh not in the preterperfect tense, or preterplusperfect tense, who hath or had bene one of the seauē Deacons; but he saith in the present tense, who is euen now one of the seauen; For so the Originall Greeke word (*ontos*), must needs be expressed, seing it is a participle of the present time, or time euen now beeing. And the holy Fathers together with the practise of the church, haue euer so vnderstood this text of Scripture. Act. 21. v. 8.

Saint *Epiphanius* deliuereth his minde in these plaine tearmes; *Omnes verò præter ipsum susceperunt magnorum Apostolorum præsentiam; & per impositionem manuum ipsorum acceperunt Spiritum sanctum. Nam quum Philippus Diaconus esset, non habebat potestatem imponendi manus, vt per hoc daret Spiritum sanctum.* Epipha. li. 1. to. 2. hæres. 21. pag. 18.

They all, hee onely excepted, receyued the presence of the mightie Apostles, and by imposition of their hands, they enioyed the holy Ghost. For *Philip* being a Deacon onelie, had not power to impose hands, thereby to giue the holy Ghost.

S. *Austen* hath these expresse words; *Iterum, multum distare inter Diaconum & sacerdotem liber approbat, quē dicimus actus Apostolorum. Cum n. ex Samaria credidissent, Philippo prædicanti Diacono ab Apostolis ordinato, miserunt, inquit, ad mixtim, eos Petrum & Ioannem, vt venirent, & his qui credērēt darent spiritum sanctum, per manus impositionem.* August. in quæst. quæst. 101. Again, the booke which wee call the Acts of the Apostles, prooueth that a Deacon differeth much from a Priest. For when they of *Samaria* had beleeued the preaching of *Philip* the Deacon, ordeined of th'Apostles; they sent (saith the booke) *Peter* and *Iohn* vnto them, that they might giue the holy Ghost, by imposition of hands, to those that did beleeue. Thus wee see the iudgement of S. *Epiphanius* and S. *Austen*, who both iointly affirme *Philip* to haue bene but a Deacon, and tom. 4. *Hier. idē de cet aduersus Luciser.* tom 3 fo. 63.

yet

Gualter, in 8. Act. yet to haue baptized and preached. Yea Maister *Gualter*, Maister *Aretius*, and the *Magaeburgenses*, doe all constantlie and vniformely contest the same truth, with the auncient Fathers and continuall custome of the Church in all ages. They write plainely, that although Deacons were chieflie occupied about the dispensation of the churches goods: yet did they employe their labours so far forth as they might, in the other ministeries of the church.

Aret. in cap. 8. Act.

Magdeb. cent. 1. lib. 2. ca. 7. p. 508.

The fourth member of Deacons promoted to Priesthood.

The Church of England is charged to doe against the word of God, while shee vseth to make one and the same person, first a Deacon, and afterward a Priest. To which calumnie, *I* answere in briefe in this manner. *First*, that it

1. is not against the word of God, but very consonant and altogether agreable to the same. For no Scripture can bee alleadged, to prooue that a Deacon maye not become a Priest. Maister *Calvin* affirmeth constantly, that *Philippe*

Calui. in cap. 21. Act. was first a Deacon, and afterward an Euangelist, Priest, or

2. pastorall elder. Secondly, that the church of England vsing the Deaconshippe, as a steppe or degree vnto Priesthood, doth nothing against the iudgement of the auncient Fathers, but followeth the vsuall practise of the church in all ages. The reason hereof is, and euer was this; *viz.* that there might be some time of tryall, of their behauiour in the Deaconshippe, before they were or could bee admitted to the order of Priesthood. No Councell, no Father, no hystorie Ecclesiasticall, no time, no place, no person, since the Apostolike age, can be named to the contrary. To the continuall practise of the Church from age to age, th'Apostles words may fitly be applied, when he saith: the deacons that

1. Tim. 3. 13. haue ministred well, get themselues a good degree. For sundry both old and late writers of high esteem in the church, do vnderstand by the word (*Degree*,) a steppe vnto the pastorall Eldershippe or Priesthood. This notwithstanding,

it is

it is not of neceſſitie, that euery Deacon become a Prieſt, by any canon or conſtitution of the church. For his behauiour in the *D*eaconſhip may be ſuch, that the church will deeme him vnmeete to be preferred vnto Prieſthood. And therefore *I* conclude with theſe words of *S. Hierome*, *Et ſi ſcripturæ authoritas non ſubeſſet, totius orbis in hanc partẽ conſenſus inſtar præcepti obtineret. Nã & multa alia quæ per traditionẽ in Eccleſijs obſeruantur, authoritatẽ ſibi ſcriptæ legis vſurpauerunt.* *Hieron. adu. Lucif. tom. 3. fol. 63. c.*

Although they were no authoritie in Holy Scripture; yet ſhould the conſent of all the Chriſtian worlde, haue the force and ſtrength of a law in this behalfe. For many other things, which the church obſerueth by tradition, are become equiualent to the written law. Loe, S. *Hierome* affirmeth boldly & conſtantly, as do alſo S. *Auguſtine*. M. *Caluin*, and others, (as *I* haue already prooued,) that the cuſtome & tradition of the church muſt bee in ſteede of a lawe vnto Chriſtians. Which euer is to be vnderſtood, in things not repugnant to the word of God, (or as M. *Caluin*. ſpeaketh) which are neyther partes of doctrine, nor neceſſarie to ſaluation. *Vide ſupra, ca. 7. per totũ.* *Caluin in 1. cor. 11.*

The fyfth member, of the generall confeſſion made by priuate perſons in the Church.

The Patrons of the expected Elderſhip or Presbyterie, exclame againſt the booke of common prayer; becauſe it giueth libertie to the Laycall communicants, to make a generall confeſsion of their ſinnes, before the congregation then preſent; as if therby the Laicall communicants, ſhould preſently become publique miniſters of the church. To theſe men *I* anſwere in this manner; firſt, that they ſeeme to 1
thẽſelues to be the onely wiſe men in the worlde, & to condemne all the reſt of follie: For otherwiſe, they would not ſo roundly & peremptorily take vpon themſelues, and that without either Scripture, Councell, or Father; nay, without all rime or reaſon, to controll & condemne the booke of publique praier, (which I verily think to haue bene compoſed by the aſsiſtance of the Holy Ghoſt;) & conſequently,

to condemne all the ancient Byſhops,(thoſe glorious martyrs of our Lord Ieſus,) the moſt famous Byſhop of *Sariſburie*, (the *Iewell* of *England* in his time) the Byſhops that now liue,(who are both wiſe,vertuous,& learned,)& all the reſidue of the learned Cleargie of this our *Engliſh* Church.

2 Secondly, that by their groſſe aſſertion,ioyned with a moſt
Luke.18. vnchriſtian reprehenſion, the lowly Publican highly com-
v.13. mended in the Goſpell, ſhould bee made a Miniſter of the Church, or haue intruded him himſelf into the function of publique Miniſterie, when hee knocked vppon his breaſt,

3 &ſaid; O God be mercifull to me a ſinner. Thirdly, that by the ſame reaſon, the notorious ſinners which were put to open penance in the primitiue Church, and confeſſed their faults before the congregation, ſhould bee in the ſame predicament.

4 Fourthlie, that publique penitents this daye, (who are for all that approoued of the Patrons of the Preſbyterie,) ſhould be caught in the ſame nette.

5 *Fyftlie*, that the ſame may bee ſaide of Women, ſinging Pſalmes in the Church, and that with more probabilitie; who for all that
Auguſtin. ad Ianuarim epiſt.118. are approoued in ſo doing, not onely in this Church of *England*, but alſo in all other reformed churches whereſoeuer. I therefore conclude this member, with this Golden ſentence of S. *Auſten*; if any thing be obſerued vniuerſallie of the whole church; then not to obſerue that, or to call it into queſtion, is meere madneſſe, and deſperate follie.

The ſixt member, of praying to be deliuered, from Lightning, Plague, and ſodaine death.

It is ſcornefully obiected againſt the prayers of the church, that when wee pray to bee deliuered from plague, famine, and from other aduerſitie, wee pray without faith, becauſe wee haue no promiſe to receiue the things we pray

1. for. To whom I anſwere; *Firſt*, that our Sauiour Chriſt taught vs ſo to pray, when hee deliuered to his Church the forme of that prayer, which we ſhould daily vſe; Being the moſt

most exact, and most perfect prayer, that euer was, or can be made. Where the Notes of the *Geneua* Byble expound it, to be deliuered from all aduersitie: And consequently, that we pray with faith, seeing Holy writ is our warrant for that we pray. Secondly, that wee haue promise to receiue that wee pray for, so far forth as standeth with Gods glorie and our soules health. For Christ himselfe willeth vs to aske, and wee shall receiue; to seeke, and wee shall finde; to knocke, and it shall be opened vnto vs. Yea, he standeth knocking at the doore of our hearts, and if wee will open the dore to him, hee will enter into the house of our hearts, and dwell with vs, and giue vs all things necessarie, both for our bodies, and for our soules. And to assure vs thereof, Christ willeth vs to beleeue that wee shall haue our request, it shall bee done vnto vs. And if any will replie, that many aske many things in prayer, and yet doe not attaine the same: to such *I* answere with Saint *Iames*, in these words; yee aske, and receyue not, because yee aske amisse, that ye may lay the same out on your pleasures. Thirdly, that when our church prayeth to bee deliuered from all aduersitie, she hath both the example and aduise of most holy men. The holy Patriarch *Iacob*, fearing to receyue some bodily harme and aduersitie of his brother, prayed to God in this manner; (O God) I pray thee deliuer mee from the hand of my brother from the hand of *Esau*; for *I* feare him, least hee will come and smite mee, & the mother vpon the children. King *Dauid*, fearing to receyue bodilie harme of his sonne *Absalon*, fled away from him, and prayed God to turne the counsell of *Achitophel* (who conspired with *Absalon*) into foolishnes. The whole congregation prayed to God, to prosper their King, when hee went forth to battell against the *Ammonites*. And I deeme them no good subiects, to our most gracious Soueraigne King *Iames*, who will not pray to God vnfaynedlie, to defende him from all aduersitie; Neyther yet those persons who refuse

Mat. 6. *v.* 13. 2 *I. Ioh.* 5. 14. *Luke*, 11. 9. *Mat.* 7. 7. *Ioh.* 16, 24. *Apoc.* 3. *v.* 20. *Mar.* 11. *v.* 24. *Iac.* 4. 3. 3 *In Dom. Tri. oration.* *Gen.* 22. *v.* 11. 2. *Sam.* 15. *v.* 31. *Psa.* 20.

to pray with our church ; for all happineſſe aſwell corporall & temporarie, as ſpirituall & Eternall, to our moſt vertuous Queene *Anne*, the noble Prince *Henry*, & all the reſt of that moſt Royall progenie. Yea, Chriſt himſelfe forewarning his diſciples, of externall future aduerſity, willeth them to pray to bee defended from the ſame. Praye ſaith Chriſt, that your flight be not in the winter, neither on the Sabboth day. And beſides the ſixt petition of the Lords prayer (which teacheth vs to pray) to be defended from all aduerſitie, (as *S. Cyprian*, *Vrſinus*, and *Illyricus* with manie other learned wryters expound it,) and beſides the fourth petition alſo, which teacheth vs to pray for all things needfull for this life, (as the ſame wryters tell vs,) many examples of the new Teſtament doe make it cleere and euident, that Chriſt was well pleaſed with their prayers, who prayed for things to this life appertaining. The Ruler prayed for the life of his Daughter, & Chriſt performed his deſire. *Bartimeus* the ſonne of *Tymaus* deſired to receiue his ſight, & obtained his requeſt. Two blind men followed Chriſt, and requeſted to receiue their ſight, & hee yeelded to their petitions. A woman a *Canaanite* deſired Chriſt to helpe her Daughter, who was miſerablie vexed with a Deuill, & Chriſt cured her daughter preſently. Many other like exāples I might alledge ; but in ſteed therof, this onelie goldē ſentence of *S. Auguſtine* ſhall ſuffice. *Cum dicimus, libera nos a malo, nos admonemus cogitare nondum nos eſſe in eo bono, vbi nullum patiemur malum. Et hoc quidem vltimum, quod in Dominica oratione poſitum eſt, tam late, tamque euidenter, & manifeſtè patet, vt homo Chriſtianus in qualibet tribulatione conſtitutus, in hoc gemitus edat, in hoc lachrymas fundat, hinc exordiatur, in hoc immoretur, ad hoc terminet orationem.*

Mat. 24. v. 02.

Cyprian. in or. dom. pag. 313.

Vrſin. par. 4. pag. 422.

Mat. 9. 22. Mar. 10. v. 51 52.

Mat. 9. 30.

Mat. 15. v. 22. 28.

Auguſt. epiſt. 121. pa. 403.

When wee ſay, Deliuer vs from euill, wee admoniſh ourſelues to conſider with our ſelues, that we are not as yet in that good eſtate, where wee ſhall ſuffer no euill. And this which is laſt placed in the Lords Prayer, is extended

ſo farre

ſo farre, and ſo plainly, that a Chriſtian man moued with any kind of tribulatiō, may in this petition ſigh, in this ſhed his teares, begin herein, continue herein, and end his prayer herein. Thus writeth this holy father. And now, where it is wont to be obiected againſt the cuſtome of our Church, that we know not that God wil deliuer vs from all ſuch aduerſitie: as from lightning, thunder, fire, water, ſodaine death, and ſuch like. I anſwere that we are not to command God, or to appoint him an houre, but to expect his good time, and to referre euery part and parcell of our petitions, to his holy will and pleaſure euer implied in all our prayers. And againe, that if we muſt pray for nothing, but that onely which wee knowe God will grant, we ſhall ſeldome or neuer pray for any thing at all. No, wee muſt not ſay to our neighbour ryding towards *London*, God ſpeede you well: nor to the ſicke perſons, GOD helpe you, nor for the preſeruation of his *Maieſtie*, GOD ſaue the King. How abſurde theſe things are, euery childe can diſcerne: and yet the patrons of the *Presbyterie* condemne our Church, for Preaching to be defended from all aduerſitie, vpon ſuch ſillie fanſies and ſlender groundes.

The ſeuenth member, of the oath ex officio.

It is thought a very haynous offence, that the Church doth ſometime require an oath, whereby certaine perſons are conſtrained to accuſe themſelues. Which oath, becauſe ſome doe offer it by vertue of their place and charge committed to them, is by ſome male-contents ironically termed the oath *ex officio*. But I anſwere: firſt, that it is as vſually miniſtred in the Ciuill affaires of the common-weale, as in the Eccleſiaſticall cauſes of the Church, whereof none can bee ignorant, that haue any notice of the ordinarie practiſe, of his *Maieſties*

honourable Counſell in the North of England. Which vſage though of great antiquitie, hath for all that euer beene approued and deemed lawfull, as well by the wiſeſt and beſt learned of the church, as alſo of the commonweale of England, vntill theſe laſt and worſt dayes, in which ſome fewe young Doctors of ſmall reading, haue audaciouſly taken vpon them, to cenſure both our church
2 and Kingdome in that behalfe. 2. that it is noe ſmall ſinne for the inferiour to diſobey the Lawe of his ſuperiour in indifferent things (of which ſort and order is euery oath clad with circumſtances to this caſe appertaining,) as it may euidently be prooued, by the teſtimonie of the beſt both olde and moderne Writers. *It* were enough for tryall hereof, to call to minde what is alreadie Written. But for better ſatisfaction of the friendly Reader, *I* am content to alledge their teſtimonies, whoſe iudgements the male-contents themſelues will eaſily admit. *Maiſter Beza* hath theſe expreſſe wordes; *Res alioqui per ſe mediæ mutant quodammodo naturam, quum aliquo legitimo mandato vel præcipiuntur vel prohibentur, quia neque contra iuſtum præceptum omitti poſſunt, ſi præcipiantur, neque contra interdictum fieri, ſi prohibeantur. Sequitur, & ſi. n. conſcientias propriè ſolus deus ligat, tamen quatenus vel magiſtratus qui dei miniſter eſt, iudicat intereſſe reip. vt quippiam alioqui per ſe licitum non fiat, vel eccleſia ordinis & decori, adeoque ædificationis rationem habens, leges aliquas de rebus mediis ritè condit; eiuſmodi leges pijs omnino ſunt obſervandæ, & eatenus conſcientias ligat, vt nemo ſciens & prudens rebellandi animo, poſſit abſque peccato vel facere quæ ita prohibentur, vel omittere quæ ſic præcipiuntur.*

Beza, in epiſt. 24. pag. 155.

Vide ſupra, cap. 7. & notato.

Things otherwiſe of themſelues indifferent, doe after a ſort change their nature, ſo ſoone as by any lawfull precept, they are either commaunded or prohibited, becauſe they neither can be omitted againſt a iuſt mandate, if they be commaunded: neither yet be done againſt an interdict, when

when they are forbidden. For albeit God alone doth properly bind the conſcience, yet for all that, when the Magiſtrate being Gods miniſter, iudgeth it expedient for the publique weale, that a thing otherwiſe of it ſelfe lawfull, be not done, or the Church hauing reſpect to order and comlineſſe, and conſequently to edification, ordaineth lawes touching things indifferent, then ſuch Lawes muſt be altogether obſerued of the godly, and they ſo farre bind the conſciences, that no man can wittingly and willingly with a rebellious minde, either doe the things ſo forbidden, or omit the things ſo cõmanded, but he ſhall thereby become guiltie of ſinne.

Behold order and comlines doe edifie. Let this be well marked.

Maiſter *Martyr* hath theſe wordes; *Quare haud nos latere oportet &c.* Wherefore we muſt not be ignorant, that in the church there be three vertues of traditions. Some of them are euidently deduced and gathered out of the *Scriptures*. And touching this kinde, all the faithful are bound to communicate together. Other ſome are wholy repugnant to the word of God, & they muſt be reiected, by what authoritie ſo euer they be obtruded. And there be a third ſort of traditions, which we may call neutrall or indifferent; becauſe they are neither contrary to *Gods* word, nor yet neceſſarily ioyned thereunto. In which laſt kind we muſt obey the church, three cautions being obſerued. Firſt, that they be not obtruded as a part of *Gods* worſhip, or peculiar holineſſe, but as pertaining to order, & the ciuill commoditie of the church, & to comlineſſe in diuine actions: for all things are contained ſufficiently in the holy Scriptures, which pertaine to Gods worſhip and holineſſe. *Secondly*, that they be not reputed ſo neceſſarie, but that they may be changed, if time ſo require. Let the church keepe her intereſt in theſe indifferent things, to appoint what ſhall bee thought moſt neceſſarie and meete to edifie the faithfull. Laſt of all, let not Gods people be burdened with too great a multitude of them. Thus writeth this learned man.

Pet. Mart. in. 1. cor. 1. fol. 8. a.

The Churches in *Heluetia* in their confeſſion of their faith,

Confess. Helvet. Pag. 211. faith, after a long discourse of rites and things indifferent, added these wordes; *Semper vero ecclesiæ in huiusmodi ritibus, sicut mediis, vsæ sunt libertate, id quod nos quoque facimus.* The Churches in such rites, as in things indifferent, haue euer vsed their libertie, which libertie our selues also challenge.

Confess. Svevica, Pag. 230. The Churches in *Svevia*: in their confession haue these wordes; *Tales multas sanè ecclesia hodie iure obseruat, & pro occasione quoque condit novas, quas qui reiecerit, is non hominum, sed dei (cuius traditio est, quæcunque vtilis est,) auctoritatem contemnit.* Many such traditions the Church this day obserueth aright, and as occasion requireth, she appointeth and maketh new ones, which new orders whosoeuer shal reiect, he contemneth the authoritie not of men, but of God.

Out of these testimonies, of these famous, godly, zealous, and most learned writers, I obserue these golden lessons. 1 First, that things of their own nature indifferent, doe after a sort change their nature, so soone as they be cõmanded to be done, or left undone, by the setled lawes of the 2 Church. Secondly, that they bind the consciences of all persons, subiect to the Churches iurisdiction, so far and in such sort, that they cãnot at any time, or in any place transgresse the same without great sinne, if such transgression be ioyned and annexed, either to scandall or contempt. 3 Thirdly, that whosoeuer reiecteth such lawes and ordinances of the Church, contemneth the authoritie of God, & not of men. 4 Fourthly, that he sinneth grieuously, who either doth the things which the Church prohibiteth, or omitteth the things which she commandeth to be done, so long as her commandements remaine within the limits of things indifferent, which she appointeth for order, decencie and the common good of the Church.

Tertio Principaliter. I answere thirdly, that the Church hath authoritie to impose euery lawfull ordinance and constitution, which she deemeth profitable for the Church, vpon euery person subiect

ſubiect to her iuriſdiction. This point is ſufficiently proued alreadie, both in this preſent Chapter, and in many others throughout this diſcourſe. So that henceforth, one onely thing remaineth for me to proue; *viz.* That to miniſter the oath *ex officio*, whereby one is bound to accuſe himſelfe is either a thing lawfull of it ſelfe, or elſe *Adiaphoron* and a thing indifferent of it owne nature. I attempt the proofe. Euery thing is either good of it ſelfe, as God the author and giuer of all goodneſſe, or euill of it ſelfe, as the blaſpheming of God; or indifferent of it owne nature, as golde, money, oyle, wine, and ſuch like. Now if the oath *ex officio* be good in it ſelfe, then doubtleſſe, the Church may miniſter it to her ſubiects with out offence. None that hath ſence or reaſon, will or can for ſhame denie the ſame. Againe, if it be *Adiaphoron*, a thing of it owne nature indifferent, then it is likewiſe in the power and libertie of the Church, to impoſe the ſame vppon euery member within her iuriſdiction.

This is ſo ſufficiently proued, as no deniall can bee made thereof. It is therefore either euill of it owne nature, or elſe doubtleſſe it may not bee withſtoode or gainſaide, that it is not ill of it owne nature, I thus proue it, and I wiſh the reader to marke well my wordes. If it bee euill, it is either euill ſimply and abſolutely conſidered, as it is an oath: or elſe, as it is miniſtred to ſuch a perſon. Not the former, becauſe euerie magiſtrat may lawfully miniſter an oath, ſo often as due order of iuſtice doth require.

For as the Apoſtle ſaith, an oath for confirmation, is among men an ende of all ſtrife. Yea, Gods name is confeſſed by true and lawfull oaths. For as holy *Moſes* ſaieth, thou ſhall feare the Lord thy GOD, and ſerue him, and ſhall ſweare by his name. And the Prophet *Ieremiah* telleth vs, that it is euer lawfull to ſweare *Hebr.6. Verſ.16. Deut.6. Verſ.13.*

Iere. 4 *v.*2. sweare for the aduancement of GODS glorie, and the profit of others, so these three conditions, iustice, iudgement, and truth, bee alwaies annexed vnto it *viz.* if wee sweare truly, reuerently, and iustly. Not the latter.

1 First. for that it may be, and often is ministred to many without offence, as the aduersaries of the same oath cannot but confesse. But if it were euill of it owne nature, it could neuer be lawfully done.

2 Secondly, for that it is no sinne at all, for a sinner to accuse himselfe of the sinne he hath committed. But it is a singular vertue to confesse our faults and offences, and the ready way to obtaine fauour at Gods hands. This knew holy *Iosua* right well, when speaking by the spirit of God, hee willed *Achan* to acknowledge his sinne. *My* sonne saith he, I beseech ye giue glorie to the Lord God of *Israel*, & make confession vnto him, shewe mee now what thou hast done, hide it not from me. Loe, to confesse our secret sinnes to Gods minister, is to glorifie God and to honour his holy name. And therefore saith the note of the *Geneua* Bible, that God is glorified, when the truth is confessed. This knew Saint *Mathew* right well, when writing the Gospell of Iesus Christ, and reckoning vp the names of the Apostles, hee termeth himselfe *Mathew* the Publicane. This knew S. *Paul* right well, when he left it written to all posterities, that hee had bin a blasphemer, a persecuter, and an oppresser. This Saint *Austen*, Saint *Hierome*, and many other holy men knewe right well, when they inrolled their peculiar sinnes in their owne bookes, which they diuulged to the view of the whole world.

*1.Ioh.*1.*v.*9. *Ios.*7.19. *Mat.*10. *Vers.*3. 1.*Tim*,1. *Vers.*13.

3 Thirdly, because the rule of charitie doth teach the same. How proue *I* that? forsooth, because our aduersaries herein will not refuse to accuse ours neighbours, by testifying the truth against them, when occasion so requireth euen vpon their oathes. And consequently, seeing the true loue of our selues is that rule, by which our loue towards our neighbor must

*Mat.*22. *Vers.*39.

must be squared, it followeth of necessitie, that it is as lawfull for vs to accuse and testifie against our selues, as it is to accuse and testifie against our neighbour. This reason can neuer be answered. And it will not serue to reply, that it is a cruell part to cause a man to accuse himselfe. For First, there is no more crueltie in ministring the oath, whereby the malefactor accuseth himselfe, then there is in giuing sentence, against a felon or a traitor to suffer death. The reason is euident, because the Iudge behaueth himself alike in both cases. *viz.* He in both cases plaieth the part of Gods annointed and lawfull minister. Secondly, it cōmeth not of the nature of the oath but, *per accidens* that the partie sworne doth accuse himselfe. For, if he were innocent, as he is nocent; he could not be accused, by vertue of the oath. For, the oath is as free to commend him, as to condemne him, and as indifferent to acquit him, as to accuse him. If it were otherwise, all that take the oath, shold be accused by vertue thereof. Which how false it is, all the Christiā world can witnes. Thirdly, it is a vertue iustly to punish him, who vniustly hath done iniurie to others. Fourthly, it is a great sinne in a magistrate, to omit that punishment which iustly may be inflicted, to the harme & great daunger eitlier of the whole Church, or of many godly members in the same. Fiftly, the oath doth onely induce *iurantem* to that by way of iustice, which hee is bound to doe by Gods law of his own accord *viz.* to confesse the iniurie hee hath done, and to be reconciled to his brother. Lastly, he sinneth grieuously, whosoeuer refuseth to confesse the truth, when his competent and lawful Iudge demanderh it iuridically at his handes. I therefore conclude, that albeit the competent iudge cannot lawfully and iuridically exact an oath, for the manifestation of sinnes secret and altogether vnknowne, (because such secret sinnes are reserued onely and solely to the iudgement of GOD,) yet when there goeth a common fame, or when there is a vehement suspition, or *semiplena probatio* (as the Canons terme it,) of such a fact committed by such a Person: then the Iudge may

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Mat. 5. *Vers.* 24.

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Rom. 13. *Vers.* 2. 5. 1. *Pet.* 2, 13.

may lawfully by iuridicall proceſſe, exact a corporall oath of euery ſuſpected perſon. In which caſe onely (as *I* conceiue it,) the oath *ex officio* is miniſtred, and in no other. In regard whereof, *I* would wiſh all inferiours to be more obedient and circumſpect in future times, and not to be carried away head-long with audacious temeritie, peremptorily to cenſure and condemne the Lawes of their ſuperiours, the true nature wherof, many of them doe little vnderſtand. Let them remember, what the wiſe man ſaith, be not iuſt ouermuch, neither make thy ſelfe ouerwiſe. And as Saint *Paul* aduiſeth vs, let no man preſume to vnderſtand, aboue that which is meete to vnderſtand, but that he vnderſtand according to ſobrietie. Which holy counſell if it were pondered aright, and deepely fixed in all mens hearts, many too too forward young Diuines, would more ſparingly cenſure the lawes of their ſuperiours, and follow Saint *Iames* his precept, in being ſwift to heare, and ſlow to ſpeake.

Eccleſ. 7. Verſ. 18.

Rom. 12. Verſ. 3.

Iac. 1. 19.

CHAP. XV.

Of the puniſhing and pardoning of malefactors.

THe patrons of the newe Engliſh long wiſhed presbyterie, are ſo ſharpe, forward, and rigorous, in the puniſhing of ſin & ſinners, that in effect they ſpoile all magiſtrates of their lawfull authoritie, & make them guiltie of ſinnes moe then a fewe. For they write reſolutely (*I* will not ſay, audaciouſly,) that the ciuill magiſtrates cannot ſaue the liues of any blaſphemers, murderers, adulterers, and ſuch like. Which how vnſound a doctrine it is, *I* purpoſe in God to make it manifeſt, by way of concluſions.

The firſt Concluſion.

No Chriſtian *Magiſtrate* is this day bound to obſerue, either

either the Ceremoniall, or the Iudiciall Lawe of *Moses*. I prooue it briefelie. The Lawe of *Moses* was Triparite: Ceremoniall, Iudiciall, Morall. Of which three, the Morall part onely is this daye in force with Christians. The reason hereof is this; becauſe it is in deede the very lawe of Nature, imprinted in euery mans heart in his Natiuitie, and ſo cannot be altered. The Iudiciall parte was properlie, and peculiarlie appointed of God, for conſeruation of *Iuſtice*, among the *Iewes*, in the land of promiſe, the land of *Canaan*, the land of *Iewrie*. The whole order of which gouernment ceaſed long ſithence: *viz.* Euer ſince the people of *Iſraell* were expelled out of *Iudea*, & began to dwell amongſt the Gentiles: liuing without Gouernours, without a King, without a Prieſt, and without a Lawe. The Ceremoniall part was ordeined, to prefigure Chriſts future Prieſthoode; and therefore was it whollie abrogated, by Chriſts moſt bleſſed and Sacred Aduent. For Chriſt was the ende of the Lawe; in whom were fulfilled as well the figures as the promiſes contayned in the Lawe, and the Prophets. All which Saint *Paul* compriſeth pithily, in theſe golden wordes. For, if the Prieſthoode bee chaunged, then of neceſsitie, the Lawe alſo muſt bee changed. Yea, Chriſt himſelfe ſeemed to inſinuate no leſſe, when hee refuſed to condemne the adultereſſe to death, according to the *Iudiciall* law of *Moſes*; albeeit the Scribes & Phariſees did euen then vrge him with the conſtitution of that Law. And S. *Auſten* doth conclude no leſſe out of Chriſts words, if hee be rightly vnderſtood. But, for the true ſenſe and meaning of S. *Auſtens* diſcourſe, his two bookes written to *Pollentin*, muſt be well pondered & aptly matched together. For I ſtand not ſo much of Chriſts freeing the adultereſſe, from the puniſhment of the *Iudiciall* law of *Moſes*; as of that other ground, vppon which S. *Auſten* ſtayeth himſelfe, *viz.* That adulterie doth not diſſolue the bond of holy Wedlock. For albeeit ſundrie late Wryters, otherwiſe of great learning and rare gifts, doe

Vide ſu. ca. 8. aphoriſ. 3. in reſp. ad 2. obiect.

Ioh. 19. 30.
Rom. 10. 4.
Luke. 24.
Heb. 7. v. 12.

Aug ad Poll. de adult. conſugijs, tom. 6.

constantly teach (which some of our men have also put in practise,) that when the husband is diuorced from his wife, being an adultéresse, then hee may lawfullie marrie an other: yet Saint *Austen* grounding his opinion, vppon the words of Christ, & of S. *Paul*; concludeth constantly that whosoeuer shall marrie another wife, during the life of his former wife diuorced for adulterie, doth himselfe commit adulterie. Which (if it be true, which *I* leaue to the iudgement of the Church,) prooueth euidently that the *Iudiciall* law of *Moses* is not of force. These are S. *Austens* words:

Hec verba Apostoli toties repetita, toties inculcata, vera sunt, viua sunt, sana sunt, plana sunt. Nullius viri posterioris mulier vxor esse incipit, nisi prioris esse desinerit. Esse autem desinet prioris, si moriatur vir eius, non si fornicetur. *August. ad Possen. lib. 2. ca. 4. tom. 6.*

These words of th'Apostle so often repeated, so often inculcated, are true, are quick, are sound, are plaine. A woman beginneth not to bee the wife of any later husband, vnlesse shee first cease to bee the wife of the former. But shee ceaseth to bee the former husbands wife, if her husband die, not if hee commit adulterie.

Hemingius a great learned man, and a zealous professor of the Gospell, hath these words; *Est & lex Iudicialis, quæ cessante republica Mosis expirauit: ita vt non necessario vllum hominem obliget in specie, nisi quatenus portio eius aliqua, aut pars est legis naturæ, vt lex cõtra incœstas nuptias, Lev. 18. aut a Magistratu proponitur politico fine.* *Heming. in enchirid pag. 156.*

There is also the *Iudiciall* lawe, which expired with the common-wealth of *Moses*: so that it doth not binde any man of necessitie, but so farre onely, as some portion of it, partaineth to the lawe of Nature, as the lawe against incestuous marriages: or so much of it, as the ciuile magistrate shall admit for pollicie.

Saint *Cyrill* hath these words; *Secundum legem adulter cũ adultera moriebatur, nec poterãt dicere, pœnitentiam petimus & veniam deprecamur. Sequitur apud Christianos vero si adulterium fuerit admissum, non est præceptum, vt adulter. vel adultera corporaliter viui puniantur.* *Cyrillus in Leuit. lib. 11. Lev. 20. 10. Deut. 22. v. 22.*

In

In the Lawe, both the adulterer and the adultereſſe were puniſhed by death; and they could not ſay, wee are penitent, & deſire pardon for our ſinnes. But among Chriſtians, there is no commandement to puniſh them with death.

M *Muſculus* that moſt zealous Chriſtian, and great learned Doctor, hath theſe expreſſe words: *Quærunt, an tota ſit abrogata? reſpondemus, ſi totus Moſes ceſſit Chriſto, vtique tota illius lex, ceſſit legi Chriſti. Sequitur: in lege ſunt mandata, promiſſa, & figuræ. Per veritatem Chriſti, ceſſarunt promiſſa & figuræ. Mandata legis ſunt moralia, iudicialia, cæremonialia. Cæremonialia ceſſaſſe, ex eo patet quod ipſum Sacerdotium legis, cui annexæ fuerunt cæremoniæ, per ſacerdotium Chriſti ſecundum ordinem Melchiſedech eſt abrogatum, & iam olim re ipſa ceſſauit. Iudicialia quoque ceſſaſſe in eo declaratur, quod tota Iſraelis œconomia qualem terræ promiſſæ inhabitatio requirebat, ab eo tempore ceſſauit, quo expulſi inter gentes, ſine Rege, ſine Ducibus, ſine Sacerdote, & ſine lege habitare cœperũt.*

They demand, if the whole Law be abrogated? wee anſwere, if whole *Moſes* gaue place to Chriſt, then hath his whole law giuen place to the lawe of Chriſt. In the Lawe are commandements, promiſes, and figures. The commandements of the law are morall, iudiciall, ceremoniall. That the ceremonialls are ceaſſed, it is thereby euident; for that the Prieſthoode of the lawe, to which the ceremonies were annexed, is abrogated by the Prieſthood of Chriſt, according to the order of *Melchiſedech*, & was long ſince expired. And that the iudicialls are alſo ceaſed, it is herein manifeſt; for that the whole order of the gouernment of *Iſraell*, which was requiſite vnto the inhabiting of the land of promiſe, hath frõ that time ceaſed, when they being expelled, beganne to dwell among the *Gentiles*, without a King, without gouernours, without a Prieſt, & without a law.

Maiſter *Calvin* hath a large and moſt learned diſcourſe of this queſtion, which is able to ſatiſfie anie indifferent Reader. Some ſmall part thereof I will here ſet down, referring the Reader vnto the place for the reſidue. *Muſculus in locis de legib. pag*

Sunt

Calvin. in instit. lib. 4. cap. 20. Sect. 14. 15. 16.

Sunt qui rectè compositã esse remp. negent, quæ neglectis Mosis politicis, communibus gentium legibus regitur. Quæ sententia quam periculosa sit & turbulenta, viderint alij, mihi falsam esse ac stolidam, demonstrasse satis erit.

There be some which denie that common weale to bee well gouerned, which omitting the politique lawes of *Moses*, is ruled by the common lawes of the Gentles. The which opinion how daungerous & seditious it is, let others iudge; it is enough for mee to haue shewed it to bee false and fooliſh.

Out of these large and learned discourses, it is most apparant to all indifferent Readers; that the law of *Moses* is wholie expired, and that Christians of necessitie are bound to no part thereof.

The Second Conclusion.

Although the law of *Moses* bee wholy expyred, so as of necessitie Christians are not bounde to the punishment therein prescribed against sinne & sinners, yet is sinne this day as odious in Gods sight, as euer it was, and remaineth punishable by the law Morall, (which is the law of Nature) more fullie explained in the Law of the Newe Testament; but the quantitie & kinde of punishment therein omitted, by reason of the mutabilitie of times, places, and persons, is wholly referred to the discretion of the wise & Godly Magistrate. This conclusion containeth in it three parts: the expira tion of the *Mosaicall* law: Gods wrath and indignation against sinne, & the quantitie & kinde of punishing sinne, which is cõmitted to the Magistrate. The first part is sufficiently cleered, by the context of the former cõclusion. The second part may be prooued by manie places of holie writ. For as th'Apostle saith: Tribulation & anguish shalbe vpon the soule of euery man, that doth euill: of the *Iew* first, & also of the *Grecian*. Again, in another place, the wages of sinne, is death. Again, therefore shall her plagues come at one day, death and sorrowe, and famine, and shee shall bee burnt

Rom. 2. 9.
Rom 6. 23.

burnt with fire; for that God which condemneth her, is a strong Lord. And Christ himselfe sheweth his generall hatred against sinne, when hee pronounceth life eternall to be prepared for the righteous, and euerlasting paine for the wicked. The third and last part is proued two waies; affirmatiuely, and negatiuely. Of the former speaketh S. *Paul*, when hee telleth vs, That the Magistrate is not to be feared for good workes, but for euil. Where hee rendreth the reason thereof: vz. for that he is Gods Minister, to take vengeance on him that doth euill. Of the same speaketh Saint *Peter*, when hee affirmeth the magistrate to bee appointed of God, for the punishment of euill doers, and for the prayse of them that doe well. Touching the latter there is no parte in the whole corpse of the new testament, or of the old this day in force, which determineth eyther the quantitie or kinde of punishment, with the which malefactors are to bee punished. This negatiue assertion is proofe sufficient, vntill some instance can bee giuen for the affirmatiue. Againe, as the Prophets containe nothing, but an explication of the Law; so the New Testament containeth nothing but a cleare explication of the law and the Prophetes. This I haue elsewhere proued at large, where hee that listeth may reade the same: for all the kindes of punishment expressed in the Mosaicall Law, were meere iudiciall, and are already expired, as is proued in the former conclusion. The law Moral, (which is the law of nature) teacheth vs that sinne ought to be punished; but for that no one kinde of punishment, nor quantity in punishing, can be meet and agreeable to all nations, all times, all places, and all persons; it leaueth the quantitie and kinde of punishment to bee determined by the godly and prudent Magistrate, as shall bee thought most fit and commodious for the peaceable gouernement of the common weale, the circumstances of times, places and persons,

Apoc. 17. 8.

Mat. 25. *v.* 46

Rom. 13. *v.* 3 4

1. *Pet.* 2. *v.* 14.

In the downfall of Popery.

Vide supra, cap. 8. *aphor.* 3. *ob.* 2.

Caluin. in. inſtit. lib. 4. cap. 20. ſect. 16.

euer dulie conſidered this is euident, by the practiſe of all nations; for (as *M. Caluin* writeth truely,) where Gods law (the law of nature,) forbiddeth to ſteale, the ancient lawes of the gentiles puniſhed theft with double; others condemned theues with exile and banniſhment; others adiudged them to be whipped; others to be put to death. Falſe witnes was puniſhed in ſom places onely with infamie, in other places with hanging. All lawes doe reuenge murder with blood, but yet with diuers kinds of death. In ſome places there are grieuouſer paines appointed for adulterers, in other places thoſe that are more eaſie; yet wee ſee, how they all by this diuerſitie of puniſhment, tend to one and the ſame end. For they all with one conſent, giue ſentence of puniſhment againſt thoſe offences, which are condemned by the eternall lawe of god; to wit, murder, theft, adulterie, falſe witnes; but they agree not all; in the manner of the puniſhment: neithe truely is it neceſſarie or expedient, that they ſhould agree therein. Their is a countrey which ſhould out of hand be deſtroied with theues and ſlaughter, if it did not with horible example dealeverie ſharpely with murderers. There is alſo ſome time, which requireth the enlarging of the ſharpnes of puniſhment, and ſome people verie prone to ſome certaine ſinne, vnleſſe they be with great rigour kept in awe, he is then very euill affected and enuieth the publike commoditie, that is offended with this diuerſitie, which is moſt meete to retaine the obſeruatiō of the law of God.

1. *Rom.* 1. *v.* 31. *Rom.* 2. *v.* 14. 2.

Thus writeth *M. Caluin*, adding much more to the like effect; which I omit in regard of breuitie, referring the reader to the place; out of whoſe words I note firſt, that all nations, who haue (as *S. Paule* recordeth) the law of nature ingrafted in their harts, did not agree in the kind of puniſhing ſin, but vſed ſome one kind, ſome another. Secondly, that theft, murder, falſe witneſſe, adulterie and ſuch like, haue not one and the ſame kinde of puniſhment

punishment, in euerie people & natiō. Thirdly, that adultery is punished in some places sharply, in other som places more gentlie. Fourthly, that his diuersitie of the kinds of punishment, is not onely godly and lawfull, but also expedient and necessarie. And so, I conclude, that the law morall, (which onely law is now in force) doth leaue the quantitie and kinde of punishment, to be determined by the ciuill Magistrate. 3. 4.

The third Conclusion.

Emperours and Empresses, Kinges and Queenes, absolute Princes and independant Magistrats, may lawfully in certaine causes, vpon good and godlie considerations, either tolerate sinne vnpunished, or pardon male factors. For the exact handling of this conclusion, (because it is a matter of great importāce, & very necessary for many respects.) I deem it *operæ pretiū* & agreable to the time in which we liue, to lay down some strōg foundations in that behalfe. First, this is a constant Axiome, approued by vniform assent of al learned diuines *Cessante fine legis, cessat lex ipsa.* When the finall cause or end for which the law was made, ceaseth, then doth the law of necessitie also cease. This foundation is grounded vpon the holy scripture; where by the flat decree and setled law of the apostles, wee are bounde to abstaine frō blood & strangled meates. This notwithstanding, no man hath this day anie scruple of conscience to eate the same; & yet hereof no other sound reason can be yeelded, saue onely that the end for which that law was made, did lōg sithēce cease. For euē at that time was no precise necessitie, to abstaine from blood and strangled meates; But this law was onely made, in respect of the state of that time; that the Gentiles and the Iewes might liue more peaceably together, & there by avoid all occasion of contention and quarreling. And I therefor so soone as that end ceased, the law also

the first foundation.

act. 15. v. 28, 29.

let this point be well marked.

ceased with it, and so we are this day freede from the same, yea, this Axiome is euident *lumine naturali*, euen by the light of nature: for euery law is made for some end, which end how often soeuer it may bee accomplished without the law, so often the execution of the law is needeles.

The second foundation.

Secondly, wee must holde this for a constant foundation, that albeit the ciuill Magistrate be commaunded to punish malefactors, yet is neither the kinde of punishment, nor the quantitie thereof taxed by the law of God, but it still abideth indifferent, to bee determined by the supreme ciuill Magistrate: (for as I haue alreadie proued,) although there were speciall punishment prescribed in the iudiciall law of *Moses*, for transgressors of the Sabboth, for adulterers, for false witnesses, for murderers, theeues and such like, yet neither by the Law morall, nor by any Law in the New Testament, (to which lawes onely we Christians are this day bound,) is any such punishment determined, & therefore may the ciuill Magistrate, (if it so seeme good vnto him,) chaunge the vsuall punishment of theeues, (which with vs is to bee hanged,) and cause them to be cast into the sea with milstones about their neckes: and the same may bee saide, of the punishment for other malefactors.

Vide praced. conclus. Vide supr. cap. 8. aphor. 3. in resp. ad 2 obiectionem

The third foundation.

Thirdly, wee must repute this for an vndoubted foundation; vz. that the end, for which Gods *Law* appointeth malefactors to be punished, is the publike peace and good of the whole common-weale: for this is so euident by the course of the whole scripture, as it can neither with learning nor reason bee denied.

Deut. 19. 20
1. Cor. 5. 13.
1. Tim. 5. 20
1. Cor. 8. 13.
Mat 18, 6.

Out of these three foundations, thus firmely stablished, these two Corrolaries, may euidently bee inferred. First, that whensoeuer, any member of the common weale committeth any capitall crime, for which hee ought to die by the law, whose life for all that is more

The first corrolarie.

more profitable to the weale publike then his death; in such a case the Prince may pardon such a malefactor, & not thereby sinne at all: which thing christian Princes seeme to respect, when in the time of warres, they set such felons at libertie, as are able to doe seruice in defence of the Realme. Secondly, that when any malefactor is so mightie, or so strongly seated, or otherwise so vnfit to bee dealt withall, that the Prince cannot without probable daunger of his royal person, or great domage to the common-weale, punish the said malefactor; then in such a case, the prince may tollerate such a malefactor vnpunished, and not thereby sinne at all. *The second Corollarie.*

These foundations and illations being once well vnderstoode and remembred, the conclusion (though of great moment,) cannot but be manifest and cleare. Neuertheless, I will adioyne some sound reasons hereunto, for the better confirmation of the same.

The first reason.

It is a common and generally receiued Maxime, aswell of all Ciuilians as Diuines; vz. *Lex non obligat vltra intentionem legis-lateris.* The law doth not bind a mā beyond the intention of the *Law*-maker. Whereupon I inferre first, that the ciuill magistrate may dispence with his owne *Law*. 1. Secondly, that the Prince being Gods Minister, may tollerate or pardon malefactors, when, and so often as such tolleration or pardoning tendeth to the common good of the publike-weale, the reason is euident, because the intention of God the supreme Law-maker, was euen that and none other, whē hee appointed his ministers to punish malefactors. 2.

The obiection.

The Prince pardoneth many times, when hee little

regardeth the common good; nay, whē his pardoning doth great harme to the publike weale, and Church of God.

The Answere.

1. I answere; first, that hee hath receiued his authoritie to profite the Church and common-weale, and not to doe hurt vnto the same.

2. Secondly, that it is sufficient to satisfie the consciences of subiectes, (who haue not to examine their Soueraignes secret affaires, and to enquire what causes he hath to deale thus, and so in matters of State) that the Prince may in some cases vpon some causes, either tollerate sin vnpunished, or pardon maletactors. If the case were otherwise, euery subiect might soone take occasion to rebell. If the Prince abuse his authority, he must render an account to God for the same.

Marke this point well.

The second Reason.

Christian Kinges.

Prodigalitie is a great sinne, condemned aswell in Philosophie, as in Diuinitie; it neither will nor can bee denyed. It is the exceeding extreame of the vertue liberalitie. This notwithstanding all Christian Kinges (for ought that I can learne) haue euer tolerated the same vnpunished at least in some degree; neither were they for such tollerations reproued at any time, by any ancient approued writer, or learned Father whatsoeuer. Which doubtles is, and ought to be so reputed an argument of no small importance. For although Emperours, Kinges and Monarches, may and doe sinne aswell as others of meaner calling; yet neither did they, neyther euer can they liue vnreproued; if at any time they sin notoriously, either by establishing wicked lawes pub-

publikly, or by suffering their subiects to make hauock of Gods lawes dissolutely. For God can raise vp children of stones to *Abraham*; and neither is hee, nor euer will hee be destitute of faithfull couragious seruāts, who wil constantly, and without all feare, reproue all such as contemne his holy lawes. He hath watchmen on the wals of his Ierusalem, who will crie out against sin continually, and neuer keepe silence day nor night. He is not without his *Elias*, that will stoutely reproue all wicked *Achabs*, Hee hath in store a *Daniel*, to condemne all naughtie Iudges; and to acquit his faithfull *Susannes*. Hee will finde a Prophet to exclame against idolatrie, and to teach euery *Ieroboam* his dutie. He can and wil prouide an other *Iohn Baptist*, to speake boldely to all bloody *Herods*. And yet in so many hundred yeares, such tollerations haue neuer beene reprooued to my knowledge by any auncient Father, or other learned VVriter. The reason hereof I take to bee this; because if this sinne were punished, there woulde rather hurte then benefite insue thereuppon.

Mat. 3. 9.

Esa. 62. 6.

1. *Reg.* 18. 18

Dan. 13. 16.

1. *Reg.* 13. 2.

The third reason

It is a generall Maxime receiued not onely in Diuinitie, but in Philosophie also; *Ex duobus malis, minus eligendum.* Of two euils the lesser is to bee chosen, that is to say; when two euils concur, so that both cannot be auoided, but that necessarilie the one must happen; then it is not onelie not sinne, but godlie VViledome, and Christian Policie, to preuent, and auoide the greater euill, with permission and tolleration of the lesse. For example sake; it is euill for a man to cutte off his owne arme or legge, if the thing bee absolutely, and simply considered in it selfe, yet to cut it off least

leaſt the whole bodie putrifie or periſh; is a very lawful act. Which thing all Chriſtian Princes,& Monarches ſeeme to reſpect, when they in ſundrie caſes doe tollerate ſinne vnpuniſhed. The bleſſed man *Moſes*, ſo highly renowmed in holy write, pardoned great malefactors in the hainous crime of diuorce, and this tolleration he graunted to auoide a greater euill; that is to ſay, leaſt the Iewes vpon euery light cauſe ſhould poyſon thoſe wiues whome they did not loue, for that ſuch light diuorcement was onely permitted, but neyther by God,

1. nor by *Moſes* approued; I will demonſtrate by theſe important and inſolluble reaſons. Firſt, becauſe theſe are Chriſtes owne wordes; *Moſes* becauſe of the hardeneſſe of your heartes, ſuffered you to put away your wiues, but frō the beginning it was not ſo. Secondly, be-

Mat. 5. 31. *Mat. 19. 7.*

2. cauſe the mariage was indeed after ſuch light diuource, vnlawfull by the law. For thus writeth Saint *Paul*; *know yee not Brethren (for I ſpeake to them that know the Law) that the law hath dominiō ouer the mā, as long as he liueth; for the womā which is in ſubiection to a mā, is bound by the Law to the Mā, while hee liueth; but if the man be dead, ſhee is deliuered from the law of the man: So then, if while the man liueth, ſhee take an other mā, ſhe ſhal be called an adultereſſe.* Out of theſe words

Deut. 24. v. 1 *Rom. 7. v. 1. 2. 3.*

1. I note firſt, that marriage cannot bee diſſolued, during the liſe of the former huſband. I note ſecondly, that

2. this was ſo euen in *Moſes* law; becauſe Saint *Paul* ſaith

3. hee ſpeaketh to them that knew the law. I note thirdly, that to be married after diuorce for a light cauſe, during the life of the former husband is plaine & flat adulterie. I therefore conclude, that to tollerate ſinne vnpuniſhed vpon good cauſe, is no ſin at all. This mine aſſertion of diuorcement is not onely grounded vpon the Scriptures, but alſo confirmed by the holy fathers, and beſt approued writers of this our age.

The 4. Reaſon.

We

We haue many examples in the holy scriptures of blessed mē that often pardoned Malefactors,& to this day were neuer reproued for the same. King *Dauid* pardoned wicked *Nabal* at the peticion of his vertuous wife *Abigal*. The same king *Dauid* pardōed *Abner*, who rebelled against him for the house of *Saul*. The self same king tolerated *Ioab* in his naughtie dealings, albeit he was more then a little offended with his manners. The same king tolerated curled *Shemei*, thogh he cōmanded his son *Salomon* to do execution on thē both, after that him selfe was dead. The holy Patriarch *Iacob* did not punnish his sonnes *Simeon* aud *Leuie* with death, for their cruell murder done vpon the Sechemites; though he had plaine regall and supreame authoritie ouer thē *S. Austen* did verie often intreate the Emperours most earnestly and humbly, not onely to pardon heretickes, but also the Circumcellions most naughtie people and cruell murderers. The blessed virgin *Mary* was found to bee with child by the holy Ghost, befor S. *Ioseph* & shee came together. Whereupon *Ioseph*, because he was a iust man, and would not put her to open shame, was minded to put her away priuily, thus reporteth holy writ. Out of which wordes I note first, that *Ioseph* knew the holy virgin to be with childe. Secondly that he knew him selfe not to be the father of the childe. Thirdly, that *Ioseph* knew no other, but that *Mary* his wife was an adultresse. Fourthly, that he thoght to haue put her away secretly, so to keepe her from shame & punishment. Fiftly, that *Ioseph* was euen then deemed iust, when he sought and thought to keepe her from shame; although in his iudgement, she deserued death by the law. Yea, S. *Paul* him selfe made intercession to *Philemon* for his seruant *Onesimus*, though he had beene a vagabond and theuish fellow.

1. *Sam.* 25. *v.* 35.
2 *Sam.* 3. *v.* 6. 22. 28. 31.
2. *Sam.* 3.
1. *Reg.* 2. *v.* 8. 9.
gen. 34.
vide *August.* *epist.* 119.
mat. 1. 19.
1.
2.
3.
4.
5.
in epist. ad philem.

The first obiection.

No inferiour hath power to alter the law of his superiour; and consequently, man cannot pardon or tolerate malefactors, who god appointeth to be punished

The answer

vide. D. Zanch in 4. cap. ad ephes. Pag 338. et Martyr. in 2. lib. Samuel. cap. 3. pag. 200. Aquenatem. 2. 2. q. 3. art. 2. cap.

I answer; first, that precepts deliuered to vs in holy writ are of two sorts. Some affirmatiue, other some negatiue. The negatiue bind vs at all times euery houre, and in euery place; but the affirmatiue, thogh they be very apt to bind, yet doe they not actually bind vs, saue then onely, when the due circumstances of times, places, and persons occurre, hereupon it commeth that it is neuer lawfull to steale, neuer lawful to commit adultery, neuer lawfull to beare false witnes, neither at any time, nor in anie place. the reason hereof is this, because these precepts be negatiue. This notwithstanding, it is sometime lawfull to omit the precepts affirmatiue. For exãple it is necessary vnto saluatiõ, to mak confession of our faith; and yet we doe and may often omit the same, for that it is an affirmatiue precept. And therfore Christ willeth vs not to giue that which is holy to dogs; neither to cast our pearles before swine; leaste they tread thẽ vnder their feete, and turne againe & all to rentus. But wee are then bound to confesse our faith when either it tendeth to the glorie of God, or to the good of our neighbour; so that if such confession were not then made, either god should be dishonoured, or our neighbour scandalized. So it is Gods cõmandemẽt to giue him thy cloake, that will sue the at the law, and take away thy coate; & yet maiest thou at sundry times for sundry respects, denie him both thy coate and thy cloake. So it is Gods commaundement to go with him myles twaine, that will compell the to goe one; and yet maiest thou sundrie times denie lawfully, to goe with him either more or lesse so it is Gods commaundment

Mat. 7. 6.

Mat. 5. v. 40

Mat. 5. v. 41

maundement, neuer to turne away frō him, that would borrow money of the, or any other goods; and yet maiest thou sundry times for sundry respects, denie to lend either thy mony or other things. All which and other the like haue this onely ground and foundation; vz. That they are precepts, affirmatiue, which neither bind at all times, nor yet in all places. For precepts affirmatiue, to vse schoole-tearmes; *obligant semper sed non ad semper.* *Mat.5 v.42.* *modus loquendi. Scholarum.*

Secondly, that the ciuill magistrate had authoritie, to mitigate many punishmēts ordained for malefactors, euen in the time of the old testamēt. For thogh hewere appointed to punish them that vsed false weights and measures; yet was that punishment to be determined according to the quantitie and qualitie of his trespasse. The partie that was worthy to be beaten, receiued many or few stripes, at the descretiō of the magistrate. *M. Caluin* a most zealous patron of pure religion, hath these expresse words; *Impunè quidem vt liceat statui potest, sicut in arbitio Principis est panas remittere, Verum vt vitiosum non sit, quod vitiosum esse natura dictat, nullus legislator efficiet* *Seeundò. Principaliter.* *Deut.25. v.2.3.13. 14.* *Caluin. in leu.18. v.6. Pag.345.*

A law may be made, that he which doth it shall not be punished; euen as it is in the princes pleasure, to pardon and releasse the punishment. But that that be not sinfull, which nature it selfe sheweth to be sinfull; no law-maker can effect or bring to passe. Thus writeth this learned man, granting freely as we see; that the magistrate may sometime vpon good causes, tolerate those sinnes vnpunished, which gods law doth sharply reproue and speake against, where the reader must obserue with me, that Maister *Caluin* speaketh of the most notorious sinnes of incest; and consequently that hee graunteth power vnto the magistrate, to pardon what Malefactors or sinnes, so euer: For though the magistrate can neuer make that

to be no sinne, which Gods lawe prounceth to bee sinne; yet (saith *M. Caluin*) the magistrate may make a law, that the same sinne shal not be punished, Which doubtles is the selfe same doctrine, that I do teach for the present.

Tertiò principaliter.

Thirdly, that by the law of the New Testament, the Prince is onely charged in generall tearmes to punish malefactors, and that for the common good of his faithfull people, in regard whereof, hee may lawfullie cease from punishing them; when the common intended good of his subiectes, eyther can not, or wil not insue thereupon. For if Kinges should at all times punish all malefactors; the Church of God would often be depriued of most excelent and profitable members. For which respect our Sauiour himselfe telleth vs, that when the tares cannot be seuered from the good corn, vnlesse both be pulled vp together; then may they tollerate the tares or weedes, with the good corne, vntill the time of haruest. As if hee had saide: when the wicked cannot be punished, but with great domage to the godly; then may the Magistrate tollerate such malefactors vnpunished, and not thereby sinne at all. Therefore saith the holy father S. *Austen*; that Christes Church doth tollerate many thinges, which he neither doth nor can approue. And the same holy Father in a large and learned discourse against *Parmenianus*, sheweth plainely vnto the Reader; that the notorious sins must then be anathematized, when there is no daunger of schisme to ensue thereupon, not otherwise; least that turn to the churches harm, which was intended for her good. Amongst many other godly sentences, (which for breuitie I here omitte, these are his expresse wordes. *In hac velut angustia quaestionis, non aliquid nouum aut insolutum dicam, sed quod sanitas obseruat ecclesiæ, vt cum quisque fratrũ, id est, Christianorũ intus in ecclesiæ societate constitutorum, in aliquo tali peccato fuerit deprehensus, vt*

Mat. 13. v. 30.

Aug. in ep. 119. tom. 2.

August. cont. epist. Parme. lib. 3. cap. 2. tom. 7.

ana-

anathemate dignus habeatur, fiat hoc vbi periculum ſchiſmatis nullum eſt. Sequitur nam & ipſe dominus cum ſeruis volentibus zizania colligere, dixit, ſinite vtraque creſcere vſque ad meſſem, præmiſit cauſam dicens, ne forte cum vultis colligere zizania eradicetis, ſimul & triticum. Vbi ſatis oſtendit, cum metus iſte non ſubeſt, ſed omnino de frumentorum certa ſtabilitate certa ſecuritas manet, id eſt, quando ita cuiuſque crimen notum eſt omnibus, & omnibus execrabile apparet, vt vel nullos prorſus, vel non tales habeat defenſores, per quos poſsit ſchiſma contingere, nõ dormiat ſeueritas diſciplinæ. Sequitur, cum vero idem morbus plurimos occupauerit, nihil aliud bonis reſtat, quam dolor & gemitus.

In this intricate queſtion, I wil ſay no new or ſtrãge thing, but euen that which the ſoundenes of the church obſerueth; that when any Chriſtian, which in the ſocietie of the church, ſhalbe taken with any ſuch offẽce, as ſhall deſerue an anathematization, the ſame be done where there is no perill of ſchiſme. For our Lorde himſelfe, when hee ſaide to thoſe that woulde gather the tares, ſuffer them to grow vntill the harueſt; premiſed the cauſe, ſaying, leaſt while yee deſire to gather the tares, ye plucke vp alſo the wheate. VVhere hee ſheweth ſufficiently; that when there is no ſuch feare, but there abideth ſecuritie enough of the ſtabilitie of the corne, that is, when euerie mans crime is ſo apparãt and execrable to all, that eyther it hath none at al, or no ſuch patrones as are able to raiſe vp a ſchiſme, then may not the ſeueritie of diſcipline bee aſleepe. But when many haue the ſame diſeaſe, there reſteth nothing for the godly, but ſorrowe and lamentation. Thus writeth this holy Father; Out of whoſe wordes we may gather euidently, that the magiſtrate may lawfully tollerate ſinne and ſinners vnpuniſhed, when by their puniſhment more hurt then good would enſue to the Church. VVhich ſelfe ſame doctrine, King *Dauid* full of the holy Ghoſt, deliuered long afore

him, when he vttered theſe wordes; *Know ye not, that there is a Prince, and a great man fallen this day in Iſrael? and I*
2.Sam.3.v. *am this day weake and newly annointed King, and theſe men the*
38.39. *ſonnes of Zeruiah be too hard for me; the Lord reward the doer of euill, according to his wickedneſſe.* Loe, the bleſſed King ſpared two moſt cruell murderers, *Ioab* and *Abiſhai* his brother; and this hee did onelie for this end, leaſt by their puniſhment, greater hurt ſhould haue come vnto his Kingdome.

The 2. Obiection.

Achab the King of Iſrael was puniſhed with death
1.*Reg.*20. becauſe he granted pardon to *Benhadad* King of *Aram.*
1.*Sam.* 28. So King *Saul* was depoſed from his kingdome, for that
1.*Sam.*15. he ſpared *Agag* king of the *Amalekites.*

Anſwere.

1. I anſwere; firſt, that *Achab* was preciſely deſigned
1.*Reg.*20. by God himſelfe, to doe execution vpon *Benhadad.* And
42. ſo was alſo *Saul* appointed in preciſe tearmes, to put
1.Sam.15.3 King *Agag* to death. Secondly, that in the New Teſta-
2. ment, Princes haue no ſuch ſpecial commaundemēt, but are only charged in general to puniſh malefactors.
3. Thirdly, that they were extraordinarie precepts, giuen to theſe Kinges extraordinarilie, not to bee done generally to all malefactors, but to two notorious perſons in ſpeciall; and conſequently, that no generall Law can
4. bee grounded thereupon. Fourthly, that affirmatiue precepts binde not in euery ſeaſon, but when the due circumſtances of time, place and perſons, and the common good of the faithfull, ſhal ſo require, as is alreadie proued. For otherwiſe, I ſee not how Saint *Paul* can bee
In Epiſt. ad Philem. excuſed, who made earneſt ſute to *Philemon*, to pardon his wicked ſeruant *Oneſimus*, who vniuſtly had gone away out of his ſeruice. And the like may bee ſaide of Saint

Saint *Austen*, who so oftē made intercession to the princes of *Africa*, to pardon the Donatists and Circumcellions; who did not onelie disturbe religion, but also spoiled the Christians of their lawfull goodes. Yea, it was the vsuall custome of the Iewes, (as the holy gospel beareth recorde,) to see some one Prisoner at libertie euerie Easter; which custome is not reproued in any place of holy writ. Fiftly, that it is a case so cleare by Saint *Paul*, that malefactors may sometime bee pardoned, as it is without all rime and reason to denie the same. For what can be a greater offence, then such fornication, as is not once named among the Gentiles; to wit, that one should haue hi fathers wife. And yet when the partie that did this horrible fact, seemed to giue signes of true remorse; Then Saint *Paul* himself pardoned him, and willed the Corinthians to doe the same. So did the Fathers of the Elebertine Councel, pardon the vsurers of the Laical sort; when they promised to surcease from vsurie, and to deale no longer therewith. And this Coūcel was celebrated aboue one thousand and two hundred yeares ago. Yea, the most famous Councel of *Nice* gaue pardō to such malefactors, as scarse deserued the same any way. I therefore conclude, that it is lawfull for Kinges, Emperours, and other independant Magistrates, to tollerate or pardō malefactors vnpunished, when and so often as the same shall tend to the good of the common weale; wherein Subiects are to obey, and not peremptorily to iudge, or curiously to examine, and enquire.

Luke 23. v. 17.

Mat. 27. v. 15.

Mar. 15. 6.

2. Cor. 2. v. 8. 9. 10.

Conc. Elebcr. can. 20.

Conc. Nicen. can. 11.

Soli Deo gloria.

FINIS.

A TABLE CONTAI-ning the chiefe and principall matters of all the Chapters throughout this Discourse.

Of the sundrie kindes of gouernment, Chapter, 1.
Of the chiefe and best kinde of gouernment. cap. 2.
Of the kinde of gouernment of the English church. cap. 3:
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Of the degrees of Ministers, and the antiquity therof. cap. 5
Of ciuill offices in Ecclesiasticall persons. cap. 6.
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FINIS.

OBEDIENCE

Or

ECCLESIASTI-call Vnion.

Treatised by *William Wilkes* Doctor *in Theologie, and one of his Maiesties* Chaplaines in ordinarie.

Artaxerxes to *Esdras*.

Let all those that shall transgresse the lawe of God and the King be diligently punished, either with death or other punishment, either with penaltie of money, or banishment.

AT LONDON
Imprinted by *G. Elde* for *Roger Iackson*, and are to be sold at his shop in Fleet-street, neere the Conduict.
Anno Dom. 1605.